

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL Nos.574-576 OF 2011

SUKHDEVI (DEAD) ETC.ETC.

... APPELLANTS

Versus

STATE OF HARYANA & ANR.

... RESPONDENTS

WITH

CIVIL APPEAL Nos.655-665 OF 2011  
CIVIL APPEAL Nos.584-648 OF 2011  
CIVIL APPEAL No.667 OF 2011  
CIVIL APPEAL Nos.579-580 OF 2011  
CIVIL APPEAL Nos.11154-11159 OF 2013

O R D E R

1. Delay condoned.
2. The application seeking recall of the Order dated 23.02.2021 is allowed.
3. Consequently, the application for restoration stands allowed.
4. The applications for setting aside abatement and the applications for substitution are also allowed.
5. The application for amendment of the cause-title is allowed and the cause-title is directed to be amended accordingly.
6. Through this batch of appeals, the appellants seek further

enhancement of compensation awarded to them in respect of land measuring 385 acres that was acquired for development of Sector - 23 in the Urban Estate of Sonipat. The acquired land falls within the revenue estate of three villages, namely, Garhi Brahmnan (Hadbast No.203), Jamalpur Khurd (Hadbast No.204) and Kalupur (Hadbast No.205), all of which fall within the District of Sonipat, Haryana. The High Court of Punjab and Haryana vide impugned judgment dated 30.05.2008 has enhanced the compensation from Rs.49/- per sq.yd to Rs.77/- per sq.yd., as against the appellant's claim of Rs.150/- per sq.yd.

7. The State of Haryana issued a Notification under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') on 16.12.1988 for acquisition of land measuring 420.10 acres comprising the aforementioned three villages for the public purpose of developing and utilizing the lands as residential and commercial areas in Sector - 23, Sonipat, under the Haryana Urban Development Authority. Thereafter, a declaration under Section 6 of the Act was published on 13.12.1989, followed by an Award dated 28.03.1990 by the Land Acquisition Collector assessing the market value of the acquired land at the rate of Rs.1,00,000/- per acre along with 30% solatium and 12% additional amount i.e. Rs.1,92,000/- per acre. The erstwhile owners of the lands sought reference under Section 18 of the Act and the Reference Court vide Award dated 12.12.1995 enhanced the

compensation at the rate of Rs.49/- per sq. yd. along with statutory benefits. Dissatisfied with the amount awarded to them, the appellants approached the High Court and vide impugned judgment, their appeals have been allowed in part to the extent that the compensation amount has been enhanced to Rs.77/- per sq.yd. The appellants, however, seek further enhancement as, according to them, the fair and just market value of their land, at the relevant time, was not less than Rs.150/- per sq.yd.

8. We have heard learned counsel for the appellants as well as learned counsel for the respondent - State at a considerable length and carefully perused the material placed on record.
9. There is hardly any dispute that the acquired land is situated at a prime location and is in close proximity to other residential and commercial establishments, Civil Secretariat, Judicial Complex, the residence of the Deputy Commissioner, veterinary hospital, as well as various oil mills, rice mills, shops, schools etc. Essentially, the acquired land lies in the vicinity of an already developed area where residences and businesses are commonplace.
10. It may be seen from the impugned judgment passed by the High Court that the appellants relied upon 13 sale instances, which are Exhibits P-3 to P-16, to make out their case for greater compensation. All these sale instances pertain to parcels of land in the villages of

Garhi Brahman, Jamalpur Khurd and Kalupur. Most of the sale instances were executed a few months before the publication of Notification under Section 4 of the Act. Out of the various examples brought on record by the appellants, the following 4 instances warrant closer scrutiny: -

- i) The best sale exemplar, for our purposes, among these sale deeds is Exhibit P-10, dated 14.09.1988, whereby a small plot measuring 112 sq.yds., in village Jamalpur Khurd was sold at the rate of Rs.200/- per sq.yd.
- ii) Another comparable sale is Exhibit P-11, dated 14.09.1988, whereby a plot measuring 150 sq.yds. was sold at the rate of Rs.150/- per sq.yd.
- iii) Exhibit P-7 of the same date i.e. 14.09.1988 pertaining to a plot measuring 110 sq.yds. of village Jamalpur Khurd was sold at the rate of Rs.100/- per sq.yd.
- iv) Finally, Exhibit P-3, pertaining to land measuring 10 marlas in village Garhi Brahman was sold at the rate of Rs.150/- per sq.yd.

The remaining examples placed before us by the appellants depict acquisitions at the rate of Rs.100/- per sq.yd.

11. In addition to these sale instances, the appellants placed reliance on a judgment dated 24.08.1988, of the High Court - Exhibit P-20 whereby the market value of the acquired

land out of the same khewat number was assessed at the rate of Rs.40/- per sq.yd in respect of the acquisition which took place on 12.06.1979. It is urged on behalf of the appellants that given the 12% average increase in the value of the land per year, the market value of the acquired land in the year 1988 was not less than Rs.125/- per sq.yd.

12. The third argument advanced by the appellants is a judgment rendered by this Court in Udho Dass vs. State of Haryana & Ors, (2010) 8 SCR 900, wherein compensation at the rate of Rs.250/- per sq.yd. has been awarded for the land in village Jamalpur Kalan, which was acquired vide Notification dated 06.05.1992. It is contended that upon a 12% annual reduction of the aforesaid market value, the value of the acquired land may be calculated somewhere around the region of Rs.150/- per sq.yd.
13. On the other hand, learned State counsel relies upon a sale instance produced on behalf of the State which suggests the sale price as being around Rs.20/- per sq.yd. The sale in question is post the issuance of Section 4 Notification.
14. We have considered the rival submissions. It appears to us that most of the sale instances relied upon by the land owners indicate the rate of Rs.100/- per sq.yd. in the year 1988 when the acquisition process was commenced. Similarly, the market value of a parcel of land out of the same khewat number was assessed at Rs.40/- per sq.yd in the year 1979. Applying the principle of an annual increase in the value

of the land at the rate of 10 to 12%, the market value in the year 1988 comes to Rs.100/- per sq.yd or even exceeds that. With regard to the land of village Jamalpur Kalan, it is not in dispute that it is located three and a half kilometers away from the acquired land. The market value as assessed by this Court in Udho Dass's case (supra) for the land in Jamalpur Kalan at the rate of Rs.250/- per sq.yd in the year 1992 is, therefore, not an instance which can be mechanically relied upon in the case in hand. However, by applying the principle of 12% decrease per year and also keeping the location of that land in view, it appears to us that the market value of the acquired land in the year 1988 could not be less than Rs.100/- per sq.yd.

15. That apart, keeping in mind the practical realities of undertaking this exercise, it seems clear to us that the best exemplar relied upon by the appellants is of the sale depicted in Exhibit P-10, dated 14.09.1988, pertaining to a piece of land measuring 112 sq.yds., in Jamalpur Khurd, which was sold at the rate of Rs.200/- per sq.yd. Even if that single exemplar is to be relied upon, it is well-settled that an appropriate deduction towards development charges has to be made. Taking into consideration the fact that the land in our case is fairly large in size and the sale instance relied upon concerns a very small plot, we are satisfied that a cut of 50% towards development charges will be appropriate and, in that eventuality also, the

market value of the acquired land comes to at least Rs.100/- per sq.yd.

16. Thus, upon application of all these parameters, which are: (i) the sale instances relied upon by the appellants; (ii) the Award - Exhibit P-19 in respect of the acquisition on 12.06.1979 of the land on which the veterinary hospital in the area was constructed; (iii) the market value assessed by this Court in respect of the land of village Jamalpur Kalan acquired in 1992 in Uddho Dass's Case (supra); and (iv) assessment of market value on the strength of the best exemplar produced on record; the fair and just price of the land owned by the appellants should not be less than Rs.100/- per sq.yd. We are conscious of the fact that it is difficult for this Court to assess with complete precision the actual market value of the acquired land and a certain amount of reasonable and educated estimation has to be undertaken to determine the appropriate market value.

17. There is nothing unusual about such an approach, nor is it uncommon to resort to such methods for assessing the market value of land in cases where the fairness of compensation is in question. In Shamalbhai Lalubhai Patel v. The Additional Special Land Acquisition Officer (1976) 4 SCC 513, this Court held:

*"It is well established that a person whose land has been acquired under the Land Acquisition Act is entitled to receive compensation computed in terms of the market value of the*

*land on the date of the notification under Section 4 of the Land Acquisition Act. The market value means the price that a willing purchaser would pay to a willing seller for the property having due regard to its existing conditions with all its existing advantages and its potential possibilities when laid out in the most advantageous manner excluding any advantage due to the carrying out of the scheme for which the property is compulsorily acquired. The disinclination of the vendor to part with his land and the urgent necessity of the purchaser to buy should be disregarded. There is an element of guesswork inherent in most cases involving determination of the market value of the acquired land, but this in the very nature of things cannot be helped. The essential thing is to keep in view the relevant factors prescribed by the Act."*

[emphasis applied]

18. Similarly, in Raja Srivalgoti Sarvagna Kumara Krishna Yachandra Bachadurvaru v. Special Land Acquisition Officer, City Improvement Trust Board & Ors. (1979) 4 SCC 356 the inevitability of certain amount of guess work in the process of fixing the appropriate value of the land was commented upon:

*"We are conscious that this process of determination of market value adopted by us may savour of conjecture or guess, but the estimation of market value in many casts must depend largely on evaluation of many imponderables and hence it must necessarily be to some extent a matter of conjecture or guess."*

[emphasis applied]

19. **Consequently, we allow these appeals in part and hold that the appellants are entitled to compensation at the rate of Rs.100/- per sq.yd. It goes without saying that the appellants shall also receive all the statutory benefits including solatium and additional market value as provided under the provisions of the Land Acquisition Act, 1894.**
20. **As a result, pending interlocutory applications, if any, also stand disposed of.**

.....J.  
(SURYA KANT)

.....J.  
(DIPANKAR DATTA)

**NEW DELHI;  
JULY 12, 2023.**

ITEM NO.107

COURT NO.5

SECTION IV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).574-576/2011

SUKHDEVI (DEAD) ETC.ETC.

Appellant(s)

VERSUS

STATE OF HARYANA &amp; ANR.

Respondent(s)

IA No. 73497/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING  
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 69169/2023 - APPLICATION FOR SUBSTITUTION

IA No. 76471/2023 - CONDONATION OF DELAY IN FILING

IA No. 69170/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN.

IA No. 69175/2023 - RECALLING THE COURTS ORDER

IA No. 73495/2023 - SETTING ASIDE AN ABATEMENT)

WITH

C.A. No. 655-665/2011 (IV)

C.A. No. 584-648/2011 (IV)

(FOR APPLICATION FOR SUBSTITUTION ON IA 56892/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
56894/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 56897/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
56898/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 56920/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
56923/2023

FOR EXEMPTION FROM FILING O.T. ON IA 56924/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 56928/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
56930/2023

FOR EXEMPTION FROM FILING O.T. ON IA 56931/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 70143/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
70144/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 70146/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 70360/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
70361/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 70362/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 70372/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
70373/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 70375/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 70379/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
70381/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 70382/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 71037/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
71039/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 71041/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 71048/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
71050/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 71051/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 71279/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
71280/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 71283/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 71305/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
71306/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 71307/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 71316/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
71318/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 71319/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 72768/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
72769/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 72771/2023  
FOR EXEMPTION FROM FILING O.T. ON IA 72774/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 72790/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
72791/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 72792/2023  
FOR EXEMPTION FROM FILING O.T. ON IA 72793/2023  
FOR RESTORATION ON IA 73385/2023  
FOR RESTORATION ON IA 73391/2023  
FOR RESTORATION ON IA 73397/2023  
FOR RESTORATION ON IA 73400/2023  
FOR RESTORATION ON IA 73402/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 73419/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
73421/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 73422/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 74156/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
74157/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 74158/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 74165/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA  
74167/2023  
FOR SETTING ASIDE AN ABATEMENT ON IA 74171/2023  
FOR AMENDMENT IN CAUSE TITLE ON IA 74174/2023  
FOR APPLICATION FOR SUBSTITUTION ON IA 75763/2023  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA

75764/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 75765/2023

FOR EXEMPTION FROM FILING O.T. ON IA 75766/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 75770/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 75771/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 75772/2023

FOR EXEMPTION FROM FILING O.T. ON IA 75773/2023

FOR APPLICATION FOR SUBSTITUTION ON IA 79122/2023

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 79123/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 79124/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 82787/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 82798/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 82918/2023

FOR SETTING ASIDE AN ABATEMENT ON IA 82928/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 83755/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 83760/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 83764/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 83771/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 83774/2023

FOR RESTORATION ON IA 84923/2023

FOR CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION ON IA 84925/2023

IA No. 74174/2023 - AMENDMENT IN CAUSE TITLE

IA No. 56892/2023 - APPLICATION FOR SUBSTITUTION

IA No. 70372/2023 - APPLICATION FOR SUBSTITUTION

IA No. 74165/2023 - APPLICATION FOR SUBSTITUTION

IA No. 75770/2023 - APPLICATION FOR SUBSTITUTION

IA No. 56928/2023 - APPLICATION FOR SUBSTITUTION

IA No. 71305/2023 - APPLICATION FOR SUBSTITUTION

IA No. 71037/2023 - APPLICATION FOR SUBSTITUTION

IA No. 70360/2023 - APPLICATION FOR SUBSTITUTION

IA No. 72768/2023 - APPLICATION FOR SUBSTITUTION

IA No. 74156/2023 - APPLICATION FOR SUBSTITUTION

IA No. 56920/2023 - APPLICATION FOR SUBSTITUTION

IA No. 71279/2023 - APPLICATION FOR SUBSTITUTION

IA No. 75763/2023 - APPLICATION FOR SUBSTITUTION

IA No. 79122/2023 - APPLICATION FOR SUBSTITUTION

IA No. 70379/2023 - APPLICATION FOR SUBSTITUTION

IA No. 56897/2023 - APPLICATION FOR SUBSTITUTION

IA No. 70143/2023 - APPLICATION FOR SUBSTITUTION

IA No. 71316/2023 - APPLICATION FOR SUBSTITUTION

IA No. 73419/2023 - APPLICATION FOR SUBSTITUTION

IA No. 71048/2023 - APPLICATION FOR SUBSTITUTION

IA No. 72790/2023 - APPLICATION FOR SUBSTITUTION

IA No. 83774/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION

IA No. 83771/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION  
IA No. 83764/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION  
IA No. 83760/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION  
IA No. 83755/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION  
IA No. 84925/2023 - CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION  
IA No. 56930/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 71306/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 71039/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 70361/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 72769/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 74157/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 56923/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 71280/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 75764/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 79123/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 70381/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 56898/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 70144/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 71318/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 73421/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 71050/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 72791/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 56894/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 70373/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 74167/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 75771/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
IA No. 72774/2023 - EXEMPTION FROM FILING O.T.

IA No. 75766/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 56924/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 72793/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 75773/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 56931/2023 - EXEMPTION FROM FILING O.T.  
 IA No. 73400/2023 - RESTORATION  
 IA No. 84923/2023 - RESTORATION  
 IA No. 73397/2023 - RESTORATION  
 IA No. 73391/2023 - RESTORATION  
 IA No. 73385/2023 - RESTORATION  
 IA No. 73402/2023 - RESTORATION  
 IA No. 71041/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 82798/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 70362/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 72771/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 74158/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 82787/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 71283/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 75765/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 79124/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 70382/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 70146/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 71319/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 73422/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 71051/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 72792/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 70375/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 74171/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 75772/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 82928/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 71307/2023 - SETTING ASIDE AN ABATEMENT  
 IA No. 82918/2023 - SETTING ASIDE AN ABATEMENT)  
C.A. No. 667/2011 (IV)  
C.A. No.579-580/2011 (IV)  
C.A. No. 11154-11159/2013 (IV)

Date : 12-07-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
 HON'BLE MR. JUSTICE DIPANKAR DATTA

For Appellant(s) Mr. Satyendra Kumar, AOR

Mr. Ranbir Singh Yadav, AOR  
 Mr. Prateek Yadav, Adv.  
 Mr. Puran Mal Saini, Adv.  
 Ms. Anzu K. Varkey, Adv.  
 Mr. Ritesh Patil, Adv.  
 Mr. Yogesh Yadav, Adv.  
 Ms. Niharika Dudeja, Adv.

Mr. Jasbir Singh Malik, Adv.  
 Ms. Muskan Agarwal, Adv.

Ms. Divya Mishra, Adv.  
Mr. Kush Goel, Adv.  
Ms. Usha Nandini V., AOR

Mr. Jasbir Singh Malik, Adv.  
Ms. Muskan Agarwal, Adv.  
Ms. Divya Mishra, Adv.  
Mr. Kush Goel, Adv.  
Mr. Varun Punia, Adv.

Mr. S.P Khatri, Adv.  
Mr. Aditya Singh, AOR  
Mr. Shubham Singh, Adv.  
Mr. Kamal Kishor, Adv.  
Ms. Aishwarya Wani, Adv.

For Respondent(s) Mr. Atul Mangla, AAG  
Mr. Samar Vijay Singh, AOR  
Mr. Keshav Mittal, Adv.  
Ms. Sabarni Som, Adv.  
Mr. Ashish Pandey, Adv.  
Mr. Shubham Saxena, Adv.  
Mr. Prateek Rai, Adv.  
Mr. Ashutosh Bhardwaj, Adv.  
Mr. Inderjeet, Adv.  
Mr. Arun Kumar Jaiswal, Adv.  
Ms. Purva, Adv.

Mr. Mohan Lal Sharma, AOR

Mr. Shibu Devasia Olickal, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned.
2. The application seeking recall of the Order dated 23.02.2021 is allowed.
3. Consequently, the application for restoration stands allowed.
4. The applications for setting aside abatement and the applications for substitution are also allowed.
5. The application for amendment of the cause-title is allowed and the cause-title is directed to be amended accordingly.

6. The appeals are allowed in part in terms of the signed order.

7. As a result, pending interlocutory applications, if any, also stand disposed of.

(SATISH KUMAR YADAV)  
DEPUTY REGISTRAR

(PREETHI T.C.)  
COURT MASTER (NSH)

(Signed order is placed on the file)