



2026:DHC:9011



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Reserved on: 21.08.2026**Date of decision: 12.10.2026**Uploaded on: 12.10.2026*

CNR No. DLHC011114072009

+ REVIEW PET.239/2026 of CM APPL. 10816/2025 in LA.APP.
450/2009

M/S SYLVANIA & LAXMAN LTD.Appellant

Through: Mr. Rajesh Yadav, Sr. Adv. with
Mr.Surinder Singh, Adv.

versus

UOI

.....Respondent

Through: Mr. Sanjay Kumar Pathak, SC with
Mr. K. K. Kiran Pathak, Mr. Sunil
Kumar Jha, Mohd. Sueb Akhtar, Mr.
Kushagra Dixit, Advs. for R-1/UOI

CNR No. DLHC011238692009

+ REVIEW PET. 236/2026 of CM APPL.10833/2025 in LA.APP.
515/2009

SYLVANIA & LAXMAN LTD.Appellant

Through: Mr. Rajesh Yadav, Sr. Adv. with
Mr.Surinder Singh, Adv.

versus

UOI

.....Respondent

Through: Mr. Sanjay Kumar Pathak, SC with
Mr. K. K. Kiran Pathak, Mr. Sunil
Kumar Jha, Mohd. Sueb Akhtar, Mr.
Kushagra Dixit, Advs. for R-1/UOI.**CORAM:****HON'BLE MS. JUSTICE SHAIL JAIN**

Signature Not Verified

Signed By: KAPIL
KUMAR
Signing Date: 12.10.2026
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JUDGMENT

SHAIL JAIN, J.

REVIEW PET. 239/2026 IN L.A.APP. 450/2009

REVIEW PET. 236/2026 IN L.A.APP. 515/2009

1. The present Review Petitions have been filed by the Appellant/Petitioner under Order XLVII Rule 1 read with Section 114 of the Code of Civil Procedure, 1908 (hereinafter referred to as “the Code”), seeking review of the Order dated 10th April, 2026, passed by this Court in C.M. APPL. NO. 10816/2025 in L.A.APP. NO. 450/2009 (**hereinafter ‘Impugned Order’**), titled “Laxman Industries Limited v. Union of India & Anr.”, and C.M. APPL. NO. 10833/2025 in L.A.APP. NO. 515/2009, also titled “Laxman Industries Limited v. Union of India & Anr.”

2. By way of the present Review Petitions, the Petitioner seeks review of the Impugned Order, to the limited extent that this Court, while allowing the Applications filed by the Petitioner/Appellant seeking amendment of the amounts claimed as compensation in respect of the acquisition of its respective lands, imposed a condition denying statutory interest for the intervening period between the filing of the Appeals and the filing of the applications seeking amendment under Order VI Rule 17 read with Section 151 of the Code, on the enhanced amount as claimed.

3. The relevant paragraphs of the Order under review are reproduced hereinbelow:

“39. This Court is of the considered view that though the Appellant is entitled to seek amendment of the claim to claim just compensation, the Appellant cannot be permitted to derive benefit for the period of delay in seeking such amendment.



40. Accordingly, while the amendments deserve to be allowed, the Appellant shall not be entitled to interest on the enhanced amount for the period of delay attributable to the filing of the present Applications.

41. Accordingly, the present Applications filed under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908, are allowed, subject to the condition that the Applicant/Appellant shall not be entitled to the interest on the enhanced amount, if allowed in the present Appeals, from the date of filing the Appeals till the date of filing the Applications.”

4. Counsel for the Respondent/DDA in its reply to the petition opposed the Review Petitions by raising a preliminary objection as to maintainability on the ground that the contentions raised do not fall within the limited scope of review jurisdiction. He further submitted that the Appellant/Petitioner has neither demonstrated any error apparent on the face of the Order dated 10th April, 2026, nor disclosed any other sufficient ground warranting review. The Review Petitions, according to the Respondent, essentially seek reconsideration of the merits of the Impugned Order, which can only be urged in appellate proceedings and not in review jurisdiction. In this regard, learned Counsel placed reliance on ***Kamlesh Verma v. Mayawati***, (2013) 8 SCC 320.

5. Learned Counsel for the Respondent(s) further submitted that the Review Petitioner is effectively seeking a rehearing of the issue relating to its entitlement to statutory interest on the enhanced compensation. He further contends that the said issue was considered by this Court while deciding the amendment applications, and the condition disentitling the Appellant to interest on the enhanced compensation for the said period was imposed in paragraphs 37 to 41 of the Impugned Order. The condition, it



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was urged, is based on applicable legal principles and cannot be characterised as an error apparent on the face of the record.

6. In contradistinction, learned Counsel for the Appellants rebutted the arguments of the Respondent and contended that the review is maintainable in the light of the decision of the Hon'ble Supreme Court in **Koli Nanji Bhuta v. State of Gujarat**, Civil Appeal No. 628 of 2005, decided on 20th January, 2005.

7. Learned Counsel for the Appellants further relied upon the judgment of the Hon'ble Supreme Court in **Ambya Kalya Mhatre (D) through LRs. v. State of Maharashtra**, (2011) 9 SCC 325, contending that the Supreme Court in that case recognised that a landowner may not always be aware of the true market value of the acquired property at the stage when the initial claim is made, and that the landowner may seek amendment of the claim where circumstances so warrant. Reliance was further placed on **Ratti Ram v. Union of India & Anr.**, (2016) 11 SCC 110, to contend that interest on compensation is liable to be paid from the date of dispossession.

8. The Court has heard learned Counsel for the Appellant and UOI and has perused the record. None appears on behalf of DDA. Accordingly, this Court proceeds to consider the present Review Petitions in light of the material on record, the submissions advanced on behalf of the parties and the precedents relied upon.

9. The principal question which arises for consideration in the present Review Petitions is whether the condition imposed in the Impugned Order, to the effect that the Petitioners would not be entitled to interest on the



enhanced compensation for the period between the filing of the Appeals and the filing of the applications seeking amendment of the claim, warrants reconsideration.

10. At the outset, it is pertinent to note that the settled position of law regarding the scope and ambit of this Court's power to review the Order dated 10th April, 2026 is well established and limited. The power of review can be exercised only upon the discovery of new and important matter or evidence which, despite the exercise of due diligence, was not within the knowledge of the Petitioners or could not be produced by them at the relevant time, or where there exists a mistake or error apparent on the face of the record.

11. The principles governing review were summarised by the Hon'ble Supreme Court in **Kamlesh Verma v. Mayawati**, (2013) 8 SCC 320, on which the Respondent itself relies. Review is not an appeal in disguise, and a mere possibility of a different view is no ground for review. At the same time, the Rule is not confined to its first two limbs: the expression "any other sufficient reason" in Order XLVII Rule 1 of the Code has been understood to mean a reason sufficient on grounds at least analogous to those specified in the Rule. The present Petitions are considered within this settled framework.

12. It emerges from the record that the decisions in **Ratti Ram(supra)** and **Koli Nanji Bhuta(supra)** were neither produced before this Court nor discussed when the applications for amendment were heard and decided. The Impugned Order was passed on the material and the authorities then placed before this Court. These decisions have been brought to the notice of



this Court for the first time in the present Review Petitions.

13. The UOI/ Respondent contends that the Petitioners seek a rehearing of an issue already decided. This Court has considered the objection. The condition in the Impugned Order was imposed in exercise of the discretion available while allowing amendment, to balance the equities in respect of the delay in seeking it, on the submissions then advanced. The present Petitions do not call upon this Court to hold that view untenable on the material then available; they call upon it to consider whether, in light of binding decisions of the Hon'ble Supreme Court now cited, the condition ought to continue. Under Article 141 of the Constitution of India, the law so declared binds this Court, and where authority directly governing the point comes to notice for the first time, this Court is entitled, in the interest of justice, to reconsider an interlocutory condition in that light. The ends of justice require that the Petitioners' statutory entitlement be determined in accordance with the law so declared. The preliminary objection as to maintainability is accordingly rejected.

14. Having rejected the preliminary objection, this Court now turns to the authorities on which the Petitioners rely in support of their challenge to the condition. To begin with, it is apposite to notice the decision of the Hon'ble Supreme Court in **Ratti Ram v. Union of India & Anr.(supra)**, wherein, while dealing with the claimants' entitlement to interest under Section 28 read with Section 23(1-A) of the Land Acquisition Act, 1894, including for the period of stay, the Court held as under:

“4. There is no exclusion of any period contemplated on whatever account under Section 28 of the Act. The only



reference is to the date of dispossession. Liability to pay interest starts to run from that date. Therefore, these appeals are allowed. It is directed that the appellants shall be entitled to interest for the compensation, as per Section 28 read with Section 23(1-A), in respect of the land acquired from the appellants, on value @ Rs 76,550 per bigha for the period of stay also i.e. from 24-4-1997 to 27-9-2001.”

15. In continuation of the above, and to the same effect, reference may be made to the decision of the Hon’ble Supreme Court in **Koli Nanji Bhuta v. State of Gujarat, (supra)**. There, the Supreme Court considered the contention that whether the interest on the enhanced compensation ought to be denied because the appeal was filed belatedly and the amendment application later, and held as under:

“5. Counsel for the appellant submitted that the claimant appellant was entitled to get interest for enhanced compensation from the date of the award. Counsel for the respondent submitted that the appeal itself was filed belatedly and the amendment application was filed later and therefore the appellant was not entitled to get interest for the enhanced compensation.

6. We find no force in the contention of the counsel for the respondent. The appellant was entitled to get interest for the enhanced compensation from the date of the award till realisation as the quantum of compensation fixed by the High Court was really the value of land due to him. We direct the respondent to pay interest @ 6% per annum for the enhanced compensation granted by the High Court from 12-3-1980 i.e. from the date of the award till realisation. If any interest for this enhanced compensation has already been paid, the same shall be adjusted.”

16. A perusal of the above decisions shows that the Hon’ble Supreme Court has consistently held that interest under Section 28 of the Land Acquisition Act, 1894 is a statutory incident of enhanced compensation. In



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Ratti Ram (supra), the Court observed that the Act contemplates no exclusion of any period and that the only reference point is the date of dispossession, and it allowed interest even for the period of stay. In **Koli Nanji Bhuta (supra)**, the Supreme Court declined to deny interest on the enhanced compensation on the ground that the appeal itself was filed belatedly and the amendment application later, and held that interest was payable from the date of the award till realisation. The present case stands on a stronger footing than **Koli Nanji Bhuta(supra)**. There, the appeal itself was delayed. Here, the Appeals were filed within time and there is no delay in their institution; the only delay that can be attributed to the Petitioners relates to the amendment applications, which were filed, on the strength of the judgments dated 29th October, 2024 of a Coordinate Bench of this Court in L.A. Appeal Nos. 253/2016 and 255/2016 (**M/s Anant Raj Projects Ltd. v. Union of India & Anr.**), after an interval of about eleven months from the date of those judgments. That interval was a relevant consideration at the stage of allowing the amendment, but it does not alter the position in law. If statutory interest could not be withheld where the appeal itself was belated, there is no occasion to withhold it where the Appeals were instituted in time and the only lapse relates to the timing of the amendment applications. The principle laid down in these decisions thus applies with greater force to the present case.

17. In view of the above discussion the Review petitions are allowed as having substantial material pointing towards Review. In view thereof, the applications under Order VI Rule 17 read with Section 151 of the Code (C.M. APPL. No. 10816/2025 in L.A.APP. 450/2009 and C.M. APPL. No.



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10833/2025 in L.A.APP. 515/2009) stand allowed without the condition in paragraph 41 of the Order dated 10th April, 2026. The said paragraph (41) shall now be read as under:

41. Accordingly, the present Applications filed under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908, are allowed.

18. The Petitioners shall be entitled to statutory interest on the enhanced compensation, if awarded, in accordance with law.

19. The Review Petitions and pending applications, if any, are disposed of in the aforesaid terms.

**SHAIL JAIN
JUDGE**

**OCTOBER 12, 2026
H.P.**