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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 23rd April, 2026

Uploaded on: 24th April, 2026

+ **W.P.(C) 568/2024**

DR OM PRAKASH KHARBANDA & ANR.Petitioners

Through: Mr Akhilesh Kumar Dixit along with
Sonu Narwal, Advs.

versus

ADM/LAC, DISTT. NORTH AND ANRRespondents

Through: Mr. Prashant Diwan, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The Petitioners have filed the present petition seeking release of their withheld payments in terms of *Award no. 16/03-04* dated 1st October, 2003 *Supplementary Award No. 16A/04-05* dated 27th October, 2004, along with interest from due date of payment till actual realisation.
3. The case of the Petitioners is that accumulated land of 445 Bigha 18 Biswas of Village Holambi Kalan was acquired *vide* notification issued on 23rd May, 2002.
4. The jointly owned land of the Petitioners falls in *Khasra No. 32/7 (4-16), 32/8 (3-3) and 32/6 (4-16) ad-measuring 12,856 sq. yards (approx.)* (*hereinafter, 'the subject land'*). The details of the Petitioners are as under:

Petitioner No. 1-

Dr. Om Prakash Kharbanda S/o Late Shri C R Kharbanda

R/o B-43, Mohan Park, Navin Shahdara, Delhi – 110032



Petitioner No. 2-

*Hans Kumar (HUF) Karta Hans Kumar Gupta S/o Late Shri
A P Gupta
R/o 72, Defence Enclave, Delhi-110092*

5. *Award no. 16/2003-2004* was passed under the Land Acquisition Act, 1894 on 1st October, 2003 and the same was reviewed on 14th July, 2004 wherein the compensation payable to the beneficiaries, including the Petitioners was reduced.
6. A Supplementary *Award No. 16A/2004-2005* was also passed on 27th October, 2004.
7. The review award, however, came to be challenged before the High Court, and thereafter before the Supreme Court. The Supreme Court, in ***Civil Appeal no 6637/ 6638 of 2010***, vide order dated 17th October, 2019, set aside the said review award dated 14th July, 2004.
8. In the same ***Civil Appeal no 6637/ 6638 of 2010*** before the Supreme Court, a contempt petition was filed by another land owner/*bhumidar* bearing ***Contempt 545/546 of 2020*** and notice was issued to the Respondents.
9. In the said contempt petition, there was a document which was circulated as the minutes of meeting dated 4th January, 2021 and the details of the affected persons in respect of the said review award no. *16/2003-2004* was set out. The said is extracted below:



The detail of the affecting persons from Review Award No. 16/2003-04 of village Tolambi Kalan is as under:-

Sl. No.	Name of the affected person	Tentative Amount of interest upto 31.12.2020
1.	Sh. Naresh Kumar, Sh. Manoj Kumar both sons of Sh. Mahender Singh	Rs. 1,21,25,297/-
2.	Smt. Laxmi Devi W/o Sh. Zile Singh	Rs. 1,07,21,127/-
3.	Sh. Zile Singh S/o Sh. Fateh Chand	Rs. 18,23,429/-
4.	Sh. Hans Kumar (HUF) Karta Hans Kumar S/o Anand Parkash ½ Share, Sh. Om Parkash Kharband S/o Sh. Kehdari Ram ½ Share	Rs. 31,02,458/-
5.	Sh. Harish Arora S/o Lok Nath ½ Share, Smt. Sashi Arora W/o Harish Arora ½ Share	Rs. 7,37,662/-
6.	Sh. Parmod Kumar S/o Ved Parkash and Sh. Vinod Kumar S/o Sh. Ved Parkash	Rs. 61,76,892/-
7.	Sh. Subhash Nagpal S/o Shyam Lal Nagpal	Rs. 09,97,559/-
8.	Sh. Jaynender Kumar Jain S/o J.D. Jain	Rs. 27,29,993/-
9.	Sh. Prithvi Raj S/o Mussaddi Lal	Rs. 92,28,729/-
10.	Sh. Rohit Kumar Aggarwal, Smt. Nirja Aggarwal, Vinod Kumar Aggarwal, Smt. Rita Aggarwal and Sh. Jitender Kumar	Rs. 62,58,338/-
	Total	Rs. 5,39,01,284/-

10. The case of the Petitioners is that their share is reflected at Sl. No. 4 of the above table and the amount in terms of the above table has not been paid to them.

11. The LAC has filed a counter affidavit before this Court as per which, some amount has already been paid on 29th March, 2022 to the tune of Rs. 6,38,798/-. The relevant portion of counter affidavit is set out below:

“2. That the prayer of the present Writ Petition has already being satisfied by the office of respondent no. 1 before institution of the present petition as no payment is due to both the petitioners in terms of Award No.16/2003-04 also in terms of supplementary Award No. 16A/2004-05 of 16/2003-04 whereby the balance/adjusted amount i.e. Rs.6,38,798/- was paid to petitioner no. 1 vide Cheque no. 284684 and Rs.6,38,798/- was paid to petitioner No. 2 vide Cheque no. 284683 both dated 29.03.2022 respectively in accordance with the original Award no. 16/2003-04, Therefore the present Writ Petition has become infructuous as the main prayer of Writ petition has already being



satisfied”

12. The submission of the Id. Counsel for the Respondents is that the Petitioners did not fairly disclose the payment of the amount.

13. Ld. Counsel for the Petitioners, on the other hand submits that much more amount is due to the Petitioners in terms of the LAC’s own minutes of meeting which is placed on record in the contempt petition.

14. Under these circumstances, this Court is of the view that firstly, Petitioners chose not to disclose all the true facts in respect of receipt of compensation.

15. However, even the LAC is silent about the amount which was mentioned in the table filed in the contempt petition as being due to the Petitioners.

16. Under these circumstances it is directed that the amounts due to the Petitioners, if any, be released by the LAC within two months from the date of this order.

17. If the same is not released within two months in terms of the Minutes dated 4th January, 2021, higher interest would be liable to be directed.

18. The petition, along with pending applications, if any, are disposed of.

19. Liberty is granted to the Petitioners to file an application, if the amount is not paid.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

APRIL 23, 2026/prg/ss