

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6479/2012**

RANDHIR SINGH AND ORS

..... Petitioner

Through: Dr.Surat Singh with
Mr.Setu Niket, Advs.

versus

LT GOVERNOR OF DELHI AND ORS

..... Respondents

Through: Mr.Sanjeev Sahay, Advocate
for R-1 & R-3.
Mr.Ajay Verma, Advocate
for R-2/DDA.
AND

+ **W.P.(C) 6480/2012**
ARUN KAPOOR

..... Petitioner

Through: Dr.Surat Singh with
Mr.Setu Niket, Advs.

versus

LT GOVERNOR OF DELHI AND ORS

..... Respondents

Through: Mr.Sanjeev Sahay, Advocate
for R-1 & R-3.
Mr.Ajay Verma, Advocate
for R-2/DDA.
AND

+ **W.P.(C) 6481/2012**
NETRA AGENCY PVT. LTD.

..... Petitioner

Through: Dr.Surat Singh with
Mr.Setu Niket, Advs.

versus

LT GOVERNOR OF DELHI AND ORS

..... Respondent

Through: Mr.Sanjeev Sahay, Advocate
for R-1 & R-3.
Mr.Ajay Verma, Advocate
for R-2/DDA.

WP(C) Nos. 6479-6482/2012

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AND

+ W.P.(C) 6482/2012

SURESH CHAND GARG

..... Petitioner

Through: Dr.Surat Singh with
Mr.Setu Niket, Advs.

versus

LT GOVERNOR OF DELHI AND ORS

..... Respondents

Through: Mr.Sanjeev Sahay, Advocate
for R-1 & R-3.
Mr.Ajay Verma, Advocate
for R-2/DDA.

CORAM:

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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12.10.2012

CM No.17194/2012 in WP(C) No.6479/2012

CM No.17196/2012 in WP(C) No.6480/2012

CM No.17198/2012 in WP(C) No.6481/2012

CM No.17200/2012 in WP(C) No.6482/2012

Allowed subject to just exceptions.

WP(C) No.6479/2012 and CM No.17193/2012

WP(C) No.6480/2012 and CM No.17195/2012

WP(C) No.6481/2012 and CM No.17197/2012

WP(C) No.6482/2012 and CM No.17199/2012

The petitioners have been compelled to approach this court as they are identically situated to the petitioners in WP(C) No.5401/2010. The common grievance is that the alignment of the road has been changed for collateral purpose and the land of the petitioners is now sought to be acquired. In those
WP(C) Nos. 6479-6482/2012

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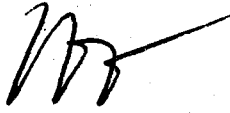
proceedings the Division Bench had heard learned counsel for the parties at length whereafter the petitioners agreed that they would be satisfied if their representation under Section 48 of the Land Acquisition Act, 1894 is examined and till then interim protection continues. We are informed that despite that writ petition having been disposed of on 13.10.2011 and the representation under Section 48 of the said Act having been made in November, 2011, no final decision has been taken. Learned counsel states that the petitioners in the present cases in fact approached the competent authority first under Section 48 of the said Act rather than approach this court as they were of the view that they can be dealt with identically as the petitioners in that petition but since steps are being taken to take over the possession of their land, the petitioners have been compelled to approach this Court.

We are of the view that the applications of the petitioners in the present cases under Section 48 of the said Act can be taken up by the competent authority along with the representation made by the petitioners in WP(C) No.5401/2010 and till a decision is rendered, a similar interim protection must enure for the benefit of the petitioners. Thus status quo would be maintained by the parties as to nature, title and possession of the land in question till a decision is taken on the applications of the petitioners and communicated to the petitioners and for a period of 15 days thereafter so that in case of an adverse decision the petitioners are not left remedyless.

The writ petitions and the applications accordingly stand disposed of.
Dasti to learned counsel for the parties under the signatures of the Court
Master.



SANJAY KISHAN KAUL, J



VIPIN SANGHI, J

OCTOBER 12, 2012/dm