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

+ **W.P.(C) 3714/2013**

M/S SUPREME TRANSPORT ORGANISATION PVT LTD & ORS Petitioner

Through : Mr A. S. Chandhiok, Sr Advocate with
Mr Satinder Singh, Mr Prashant Singh,
Ms Shweta Kakkad, Ms Yamini Khurana
and Mr Chaitanya

versus

STATE & ORS

..... Respondents

Through : Mr Sanjay Kumar Pathak and Mr Sunil
Kumar Jha for R- 2 & 4.
Mr Ajay Verma for R-3.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.02.2015**

CM 20466/2014

The learned counsel for the applicants/ petitioners seeks permission to withdraw this application.

The application is dismissed as withdrawn.

W.P.(C) 3714/2013 & CM 20467/2014

We have heard the learned counsel for the parties. The Land Acquisition Collector in his affidavit has not stated that the petitioners herein either in this own name or through their predecessor-in-interest were not parties before this Court in the earlier rounds as also before the Supreme Court. However, Mr Verma, the learned counsel appearing for the DDA, has taken the objection that the present petitioners were not before this Court and the Supreme Court in the earlier rounds. However, Mr Chandhiok, the learned senior counsel appearing for the petitioner, has drawn our

attention to paragraph (c) of the preliminary objections in the counter-affidavit filed on behalf of the DDA, wherein it is recorded that the petitioner Nos. 2-8 in the present writ petition had not “personally” challenged the earlier notification. However, in the very same sentence, it is recorded that the land of the petitioners was the subject matter of WP(C) 2570/2000 titled **Mohinder Pal Singh and Others v. UOI** and CA No. 3514-3517/2007 titled **Jaqdish Behariwani and Others v. UOI and Others.**

We have heard the learned counsel for the parties, as indicated above, and have seen the record. We are satisfied that the present petitioners were before this Court as also before the Supreme Court in the earlier rounds through their predecessor-in-interest. As a result, the case of the petitioners is entirely covered by the decision of this Court in **Sunil Goel & Ors v. The State & Ors**, W.P.(C) No.3049/2013, decided on 29.4.2014, along with other connected matters.

Consequently, the declaration dated 20.03.2013 being F.10(29)/96/L&B/LA/19599 under Section 6 of the Land Acquisition Act, 1894 is quashed insofar as the petitioners are concerned. As a result, the notification dated 27.10.1999 being Notification No. F.10(29)/96/L&B/LA/11394 issued under Section 4 of the said Act, insofar as the petitioners’ lands are concerned, would be regarded as having lapsed. The writ petition is allowed as above. There shall be no orders as to costs. All applications also stand disposed of.

BADAR DURREZ AHMED, J

FEBRUARY 21, 2015
SR

SANJEEV SACHDEVA, J