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

+ W.P.(C) 1637/2016 & CM No.7027/2016 (Stay)

NATHU SINGH & ANR

..... Petitioners

Through : Mr. Amit Kumar, Mr. Avijit and Mr.
Prithi Pal Singh, Advs.

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Through : Mr. Sanjeev Sabharwal, Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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26.02.2016

By this writ petition under Article 226 of the Constitution of India, petitioners have challenged the order dated 23rd February, 2013 passed by Learned District & Sessions Judge (East), Delhi whereby the appeal, filed by the petitioners under Section 9 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 against the eviction order dated 17th December, 2012 passed by Estate Officer-II, has been dismissed by a detailed and reasoned order. For seeking equitable relief, petitioners should have approached the Court by way of writ petition expeditiously and without any undue delay. However, writ petition has been filed after three years. Even though there is no period of limitation for filing the writ petition but at the same time a litigant is not supposed to sleep over his rights and has to invoke

the legal remedies available to him with immediate dispatch. If there is a delay same has to be explained by satisfactory and cogent reasons. No suitable explanation to explain the delay has been rendered in this case. What prevented the petitioners from filing the writ petition almost for three years has remained unexplained satisfactorily. It is trite law that if there is inordinate delay on the part of petitioner in filing the writ petition and such a delay is not satisfactorily explained, the High Court may decline to intervene and grant relief in exercise of its writ jurisdiction. Those, who sleep over their rights and allow their rights to be obliterated, would not be helped by Courts under Article 226 of the Constitution.

Accordingly, writ petition is dismissed being barred by delay and laches. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

FEBRUARY 26, 2016/dk