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

+ W.P.(C) 2849/2015 & CM 5116/2015

SURENDER KUMAR & ORS

..... Petitioners

Through : Mr L. B. Rai with Mr A. N. Mahajan

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr Yeeshu Jain with Ms Jyoti

Tyagi for LAC/L&B.

Mr Dhanesh Relan with Ms Akshita

Manocha and Mr Harshit

Manaktala for DDA

Mr Sanjeev Uniyal for R-1.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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20.09.2016

We have heard the learned counsel for the parties. We are satisfied that the petitioners in this writ petition were before this Court in the earlier round as also before the Supreme Court. Even Section 9 notice had been issued to the petitioners in respect of khasra No. 260 min (1-0) subsequent to the Supreme Court decision dated 21.03.2012 in Prahlad Vihar Resident Association and Others v. Union of India and Others being Civil Appeal No. 3022-3023/2012. As a result, the case of the petitioners is entirely covered by the decision of this Court in **Sunil Goel and Others v. The State and Others: 211 (2014) DLT 382 (DB)**.

Consequently, the declaration dated 26.04.2013 under Section 6 of the Land Acquisition Act, 1894 is quashed insofar as the petitioners are concerned. As a

result, the notification dated 28.04.1995 being notification No. F.11(17)/91/L&B/LA/6518 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 order as to costs.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

SEPTEMBER 20, 2016
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