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

+ W.P.(C) 384/2016 & CM No.1574/2016

AJAY GUPTA

..... Petitioner

Through: Mrs. Deepika V. Marwaha and
Mr. Vinay K. Shailendra, Advs.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS

..... Respondents

Through: Mr. Yeeshu Jain, Standing Counsel
with Ms. Jyoti Tyagi, Adv. for L&B/LAC.
Mr. Dhanesh Relan Standing Counsel
with Ms. Isha Garg, Advocates for respondent-
DDA

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE R.K. GAUBA

ORDER
29.08.2017

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1. The petitioner seeks a declaration that the acquisition of the suit lands, i.e. khasra No.1306 (7-04), 1424/1 (2-12) admeasuring 1 Bigha 13 Biswas situated in the Revenue Estate of Village Malikpur Kohi @ Rangpuri has lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereafter referred to as "the Act"). The suit lands were subject to acquisition – having been notified under Section 4 of the Land Acquisition Act, 1894 on 27.06.1996; this was followed by a Section 6 declaration and the award was announced on 07.01.1999.

2. In its counter affidavit, the Land Acquisition Collector (LAC) states as follows:-

“7.That the acquisition proceedings qua the notified land i.e. land notified under Award No.2/98-99 could not be completed because of the interim orders passed in various writ petition 7802/12. It is however submitted that the subject land of the present writ petition did not form part of previous litigation and was governed under Award No.2/98-99, stated supra. That as regard possession, it is humbly submitted that the possession of the land in question could not be taken and compensation not paid as compensation amount has not been received from requisitioning authority.”

3. In view of the above, it is clear that the petition has to succeed only insofar as khasra No.1306 (7-04), 1424/1 (2-12) admeasuring 1 Bigha 13 Biswas situated in the Revenue Estate of Village Malikpur Kohi @ Rangpuri is concerned. A declaration is therefore issued that acquisition of the said lands has lapsed by reason of Section 24(2) of the Act.

S. RAVINDRA BHAT, J

R.K. GAUBA, J

AUGUST 29, 2017
kks