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

+ W.P.(C) 3654/2014 & CM Nos.15224/2014 (*for directions*),
7428/2014 (*for interim injunction*) & 15779/2014 (*for deleting
inappropriate excess crept in list of dates*)

SURESH KUMAR DAGAR & ORS. Petitioners
Through: Mr. T.N. Singh with Mr. Vikas K.
Singh, Advs.

versus

UNION OF INDIA & ORS. Respondents
Through: Ms. Shobhana Takiar, Adv. for DDA.
Mr. Yeeshu Jain, Standing Counsel with Ms. Jyoti
Tyagi, Adv. for L&B/LAC.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER
25.04.2017

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1. The petitioners seek a direction that the lands which were acquired by the respondents by Notifications dated 21.03.2003 (Section 4 of Land Acquisition Act, 1894) and 19.03.2004 (Section 6 of Land Acquisition Act, 1894), in respect of which the Award was framed on 10.06.2005 and 12.07.2005 are to be declared as having lapsed in view of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. They rely to us the rulings of the Supreme Court in ***Pune Municipal Corporation & Anr. v. Harakchand***

Misrilal Solanki & Ors.; (2014) 3 SCC 183.

2. The respondents point out that the petitioners have unequivocally admitted in the pleadings that the compensation was withdrawn way back in the year 2006. It is also submitted that the material on record in support of the petitioner itself would disclose that the acquired land was taken over on two separate dates, i.e., 31.08.2005 and 22.08.2005. The records also disclose that the respondents had invoked emergency clause and taken over possession of the lands way back on 26.08.2005. The said submission cannot be disputed in view of the fact that the petitioners have conceded to this in the rejoinder affidavit.
3. In the light of the above discussion, the Court is of the opinion that the petitioners are not entitled to the relief.
4. Therefore, the writ petition is dismissed.

S. RAVINDRA BHAT, J

YOGESH KHANNA, J

APRIL 25, 2017

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