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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3561/2015**

RAJENDER SINGH AND ORS. Petitioners
Through : Sh. Anuroop. P.S., Advocate.
versus

LT. GOVERNOR OF DELHI AND ORS. Respondents
Through : Sh. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates.
Sh. Siddharth Panda and Sh. P. Venkatesan,
Advocates.
Sh. Arjun Pant, Advocate, for DDA.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE S.P.GARG

ORDER
% **01.08.2017**

Learned counsel for the respondents seeks liberty to place on record the counter affidavit.

Liberty granted.

The counter affidavit is hereby taken on record. The relevant part of the counter affidavit reads as follows:

“6. That as per the record, the land in question, i.e. Khasra No. 2528/1229 min (4-10) (petitioners are claiming 1/4th share), 2528/1229 (8-01) (petitioners are claiming 1/4th share), 1223 min (6-10) (petitioners are claiming 1/4th share) and 2534/1174/1 (1-0) (petitioners are claiming 1/2 share) situated in the revenue estate of village Mehrauli, New Delhi was notified under Section 4 of Land Acquisition Act on 23.01.1965 followed by declaration under section 6 of Land Acquisition Act on 07.12.1966 for Planned Development of Delhi. In

pursuance of said notification, notices under section 9 & 10 as provided under the Act, were issued to the interested persons, inviting the claims from all the interested persons and claims were also filed by the interested persons including the predecessor(s) in interest of the present petitioners with respect to the above said land in question. The then Land Acquisition Collector passed Award No.80E/70-71 dated 09.01.1981 after considering the claims of the claimants.

7. That in the present case, the possession of the above mentioned lands was taken over and handed over to the beneficiary department on 23/09/1981. Compensation with respect to the above said land was sent in RD due to dispute as per table given below:-

<i>NAME</i>	<i>AWARD NO.</i>	<i>AMOUNT</i>	<i>REMARKS</i>
<i>Kude</i>	<i>80E/70-71</i>	<i>6207.12</i>	<i>Sent in RD</i>
<i>Raghunath</i>	<i>80E/70-71</i>	<i>6207</i>	<i>Sent in RD</i>
<i>Man Singh</i>	<i>80E/70-71</i>	<i>6207</i>	<i>Sent in RD</i>
<i>Kundan</i>	<i>80E/70-71</i>	<i>6207</i>	<i>Sent in RD</i>
<i>Chandan</i>	<i>80E/70-71</i>	<i>6207</i>	<i>Sent in RD</i>
<i>Nayadar</i>	<i>80E/70-71</i>	<i>6207</i>	<i>Sent in RD</i>
<i>Kude</i>	<i>80E/70-71</i>	<i>651.66</i>	<i>Sent in RD</i>
<i>Rghunath</i>	<i>80E/70-71</i>	<i>651.66</i>	<i>Sent in RD</i>
<i>Maan Singh</i>	<i>80E/70-71</i>	<i>651.66</i>	<i>Sent in RD</i>

It is requested to grant some time to verify the facts of payment from the Pay & Accounts Office No.VI, Tis Hazari, Delhi.”

In view of the above, the Court is of the opinion that the compensation was not paid in the manner known to law to the land owners and hence the provision of Section 24(2) of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation*

and Resettlement Act, 2013 is attracted in the facts of this case.

Accordingly, a declaration that the acquisition of the suit lands has lapsed is issued. The writ petition stands allowed in these terms.

S. RAVINDRA BHAT, J

S.P.GARG, J

AUGUST 01, 2017/ajk