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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3149/2017 & CM APPLs. 13752-13753/2017

BHOPAL SINGH AND ORS

..... Petitioners

Through: Mr. B.P. Gupta, Advocate with
Mr. Rajesh Gupta, Advocate.

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Naushad Ahmed Khan, Advocate
with Mr. Manzar Anis, Advocate for
GNCT of Delhi/PWD.

Mr. Dhanesh Relan, Advocate for DDA.

Mr. Yeeshu Jain, Advocate with

Ms. Jyoti Tyagi, Advocate for Land and
Building.

Mr. Mukul Kumar, Ex.Engg. and

Mr. A.K. Gupta, A.E. of PWD, Delhi.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

19.04.2017

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Present writ petition has been filed seeking a direction to respondents not to dispossess the petitioners from Khasra No. 6 min, 40 min, 13 min, 156 min, 8 min and 221 min, total measuring 3456 sq. mtr. in Village Nangli Razapur, New Delhi.

It has been averred in the petition that petitioners are the owners of the aforesaid land and are carrying out agriculture activities therein which is duly recorded in the Khatoni.

It is the petitioners' case that respondents for construction of elevated Barapullah Flyover from Sarai Kale Khan to Mayur Vihar Phase-I, are trying to dispossess the petitioners from the aforesaid land without following due process of law.

Learned counsel for the petitioners states that the aforesaid land has not been acquired till date. He further states that petitioners sent a representation dated 12th November, 2016 to District Magistrate, South East, Amar Colony with regard to the aforesaid grievance, but no reply has been received till date.

Learned counsel for respondent-Land and Building Department states that petitioners have not given the exact measurement of the Khasras that they claim ownership of.

Learned counsel for respondent-PWD, on instructions of Mr. Mukul Kumar, Executive Engineer, PWD, who is personally present in Court, states that keeping in view the urgency of the public project, PWD is willing to enter into direct negotiations with the petitioners for purchase of the land.

In rejoinder, learned counsel for petitioners states that petitioners are willing to enter into direct negotiations with PWD provided they are paid the same price which PWD is paying to DDA for purchase/acquisition of their land.

In view of the aforesaid, the present writ petition and applications are disposed of giving liberty to the petitioners to make a proposal for sale of their land to PWD within a period of two weeks.

Along with the representation, petitioners shall enclose photocopies of the documents showing ownership of the individual petitioners.

Upon receipt of the said offer, the Secretary, PWD, is directed to decide the same within a further period of two weeks.

MANMOHAN, J

APRIL 19, 2017

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