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

+ W.P.(C) 4227/2017

BRIJESH KUMAR (HUF) AND ORS Petitioners
Through: Mr.S.K.Rout, Adv.

versus

UNION OF INDIA Respondent
Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Adv. for LAC

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.05.2017**

The petitioners have filed the present petition seeking a direction to forward the reference petition under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred as the “Act”) filed by the petitioners to the concerned Court. The petitioners contend that they are the owners in respect of the property bearing no. 1/536-2, 1/536-1. and 1/536-3 respectively out of Khasra No. 334/35-32-29, 313-311-310 in the abadi of Friends Colony Industrial Area, Jhilmil Tahirpur, Delhi. It is further contended that their land was acquired vide Award No.2/2007-08 (North East) dated 24.12.2007 and as there was a dispute with regard to the apportionment of compensation, the same was referred under Section 30/31 of the Land Acquisition Act and was finally decided vide order dated 23.09.2013.

The petitioners further claimed that upon passing of the Award, three reference petitions titled as Brijesh Kumar Gupta HUF Vs. UOI and Anr., Smt.Babita Aggarwal and Anr. Vs. UOI and Anr. and Shri Pradeep Gupta

HUF Vs. UOI & Ors. were filed on 07.03.2008 under Section 18 of the Land Acquisition Act. It has further been alleged that inspite of passage of long period of time, the Collector has failed to forward the reference for the determination of the Court and hence this petition has been filed.

Notice of the petition was issued to the respondents on 16.05.2017, however, the counsel for the respondents states that she has no instruction in the matter.

In view of the assertion made by the petitioners, we are of the opinion that the present petition can be disposed of with the direction to the respondents to forward the reference petitions filed by the petitioners, referred above, under Section 18 of the Act to the concerned Court for determination, if the same has not already been done and the applications are otherwise in order.

The petition is disposed of in the above terms with no orders as to cost.

S. RAVINDRA BHAT, J

NAVIN CHAWLA, J

MAY 30, 2017/vp