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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8237/2016 & CM 34146/16

HARI OM SINGH

..... Petitioner

Through: Mr. S.K. Rout, Mr. M.P. Bhargava
and Mr. Abhinav Srivastav, Advocates

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Sachin Nawani, Advocate for
respondents No.1 & 2

Mr. Gaurav Sarin and Ms. Charul Sarin,
Advocates for proposed respondents

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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19.09.2017

Learned counsel for respondents seeks permission to place on record the counter affidavit. With consent of counsel for the parties, counter affidavit is taken on record.

The petitioner claims the benefit of Section 24 (2) *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* (hereinafter referred to as 'the Act of 2013'). The lands in respect of which the declaration is sought are Khasra Nos. 640/337 (9-09), 643/339 (4-06), 647/345 (4-07), 648/346 (9-09), 343 (2-03), 540/339 (0-16), 541/342 rain (2-1), 646/345 (0-19), 542/342 (1-11) and 650/346 (14-18) measuring 49 bighas and 19 biswas situated in village Lado Sarai.

It is pointed out that in respect of the very same lands relief was

granted by this Court in *Jawahar Lal Chhabra and Ors v. Government of NCT of Delhi and Ors.* [W.P.(C) 1702/2014 decided on 08.12.2014]. The ground on which the Court had declared that the acquisition had lapsed in respect of the suit lands was that the respondent/appropriate government had not paid the compensation. Now, the present petitioner seeks the identical relief in respect of the same lands claiming that he is in possession and in support he relies upon certain documents.

The Court is of the opinion that the question as to whether the declaration is necessary in respect of the suit lands is not essential given the finality to the order made in W.P.(C) 1702/2014. What is apparent is that the present petitioner appears to agitate a civil dispute with the earlier writ petitioners-*Jawahar Lal Chhabra* and Ors.. That dispute is one which cannot be agitated and findings returned in the writ proceedings.

In these circumstances, it is open to the concerned parties to resort to such appropriate civil remedies as are available in law. The writ petition alongwith pending applications is dismissed.

**S. RAVINDRA BHAT
(JUDGE)**

**SUNIL GAUR
(JUDGE)**

SEPTEMBER 19, 2017

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