

\$~12, 14, 15, 16, 17 & 27

- * **IN THE HIGH COURT OF DELHI AT NEW DELHI**
- + **W.P.(C) 4750/2015, C.M. APPL.8597/2015**
KRISHAN Petitioner
- versus
- GOVT. OF NCT OF DELHI & ORS Respondents
- + **W.P.(C) 4778/2015, C.M. APPL.8647/2015**
AJIT SINGH Petitioner
- versus
- GOVT OF NCT OF DELHI & ORS Respondents
- + **W.P.(C) 4790/2015, C.M. APPL.8662/2015**
HARKESH & ANR Petitioners
- versus
- GOVT. OF NCT OF DELHI & ORS Respondents
- + **W.P.(C) 5132/2015, C.M. APPL.9296/2015**
SARJO AND ORS. Petitioners
- versus
- GOVT. OF NCT OF DELHI AND ORS. Respondents
- + **W.P.(C) 7330/2015, C.M. APPL.13456/2015**
RAN SINGH Petitioner
- versus
- GOVT. OF N.C.T. OF DELHI AND ORS. Respondents
- + **W.P.(C) 5533/2016, C.M. APPL.23104/2016**
SATPAL SINGH Petitioner
- versus
- GOVT OF NCT OF DELHI & ORS Respondents
- Through: Sh. Sanjay Parikh, Sh. Aagney Sail and
M. Pathak, Advocates, for petitioners, in Item
Nos.12 to 17 & 27.
Sh. Yeeshu Jain, Standing Counsel with Ms. Jyoti
Tyagi, Advocate, for L&B/LAC, in Item Nos. 12,
14 to 17 & 27.
Ms. Anusuya Salwan and Sh. Abhishek Pundir,
Advocates, in Item Nos.12, 14 to 17.

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

ORDER
01.08.2017

%

Though these petitions were filed separately and were heard independently, since the issues involved, the learned counsel and the suit lands are common, [in W.P.(C) 4750/2015, W.P.(C) 4778/2015, W.P.(C) 4790/2015, W.P.(C) 5132/2015 & W.P.(C) 5533/2016], these matters are disposed off together through a common order along with W.P.(C) 7330/2015 [in which only the issues involved are common].

The suit lands involved in the present proceedings are as under:

W.P.(C) 4750/2015	<i>Petitioner's 1/5th share in agricultural land in Rectangle No.15, Khasra Nos.1(1-17), 2(4-16), 3(5-04) & 9 min(4-16) in Village Kanjhawala</i>
W.P.(C) 4778/2015	<i>Petitioner's share in agricultural land in Rectangle No.12, Khasra No.16(4-16) in Village Kanjhawala</i>
W.P.(C) 4790/2015	<i>Petitioners' 1/5th share in agricultural land in Rectangle No.15, Khasra Nos.1(1-17), 2(4-16), 3(5-04) & 9 min(4-16) in Village Kanjhawala</i>
W.P.(C) 5132/2015	<i>Petitioners' share in agricultural land in Rectangle No.13, Khasra Nos.19(4-16), 21 min(1-12) & 22(4-16)) in Village Kanjhawala</i>
W.P.(C) 7330/2015	<i>Petitioner's share in agricultural land in Rectangle No.62, Khasra No.1/1(2-00(B)) and Rectangle No.63, Khasra Nos.4(4-12), 5(4-16), 6(4-16) & 7(4-16) in Village Karala.</i>
W.P.(C) 5333/2016	<i>Petitioner's share in agricultural land in Rectangle No.35, Khasra Nos.2 min (4-04) & 9 min(4-16) in Village Kanjhawala</i>

The petitioners in these matters rely upon the decision in *Baljeet Singh v. Govt. of NCT of Delhi & Ors.* [W.P.(C) 4775/2015, decided on 13.02.2017] where in respect of lands in Village Kanjhawala, the acquisition was declared to have lapsed by virtue of Section 24(2) of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* [hereafter “the 2013 Act”].

The respondents submit, upon instructions, that the records, in fact, substantiate the petitioners’ allegations that compensation was not paid in accordance with the law declared by the Supreme Court in *Pune Municipal Corporation v. Harakchand Misirimal Solanki* 2014 (3) SCC 183.

The Court has considered the submissions of the parties. In view of these statements and having regard to the pleadings, the Court is of the opinion that the petitioners are entitled to the claim made. Accordingly, the acquisition of the suit lands is deemed to have lapsed by virtue of Section 24(2) of the 2013 Act. The writ petitions and the pending applications are allowed in the above terms.

S. RAVINDRA BHAT, J

S.P.GARG, J

AUGUST 01, 2017/ajk