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

+ W.P.(C) 6161/2015 & CM No.11190/2015
JAI NARAYAN SHARMA AND ORS.

..... Petitioners

Through : Dr.Surat Singh and Mr.Saurabh
Agarwal, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through : Mr.Vijay Joshi and Ms.Meenakshi
Pandey, Advs. for R-1
Mr.Yeeshu Jain, St.Counsel with
Ms.Jyoti Tyagi, Adv. for LAC/L&B
Mr.H.N.Vashishtha, Adv. for R-9

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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18.04.2017

After substantially hearing both sides, this Court is of the opinion that the contentions and issues raised in the instant petition are squarely covered by the decision of this Court in *Mahavir & Ors. V. Union of India & Ors.* WP(C) No.129/2017 on 10.04.2017. The Court stated that the question was a unique one – i.e. the parties claimed to be aggrieved to approach this Court, waking up like Rip Van Winkle or what may be in Indian parlance called a ‘Kumbkarna’ lapse of time. In other words, is it open to the petitioner or a set of

petitioners to resuscitate grievance several generations later to claim the protection of a later law? Such claims were never under contemplation when the acquisition was resorted to.

The petitioners in that case asked this Court to infer and conclude that in the absence of some indication from the records made available by them, that their ancestors did not ever receive any compensation. No contemporary record in the form of letters, protest by them or any other communication stating that compensation was not disbursed or reference to civil proceedings for release of the amounts or seeking decree have been relied upon by the petitioners. The Court held that if the petitioners were to be allowed to raise such grievances the courts would be open to claims from each succeeding generation, which may say that the previous generation had not received their just dues. Such claims were held not to be adjudicated upon, as they are barred and the writ petition was dismissed.

For similar reasons as above, the writ petition is unmerited; it is therefore dismissed along with pending applications.

S. RAVINDRA BHAT, J

YOGESH KHANNA, J

APRIL 18, 2017/VLD