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

+ W.P.(C) 6779/2015

SAT PRAKASH TYAGI DECEASED THR
LRS & ANR

..... Petitioners

Through: Mr. Deepak Khosla and Mr. Samit
Khosla, Advs.

versus

UNION OF INDIA

..... Respondent

Through: Ms. Jyoti Tyagi, Adv. for Mr. Yeeshu
Jain, Standing Counsel for
L&B/LAC.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **11.12.2017**

CM. No. 23702/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 6779/2015

By this petition, petitioners seek a declaration that the acquisition proceedings with respect to the $\frac{1}{4}$ share of the petitioners in the overall land comprised in Khasra no. 96/99/1 (4-02) and 99/2 (0-14) of Rectangle No. 96 situated in the Revenue Estate of Village Holambi Kalan, Delhi (hereinafter referred to as subject land) are deemed to have lapsed as neither compensation has been paid nor possession has been taken.

Ms. Jyoti Tyagi, Counsel for the respondent / LAC submits that it is not necessary to file a counter-affidavit since the acquisition proceedings

with respect to the entire Khasra Numbers already stand lapsed in view of the judgment passed by this Court in the case of *Deepak Tyagi and Ors. v. Union of India*, W.P.(C) 8857/2015 decided on 12th July, 2016. She submits that compensation has not been paid. Ms. Tyagi adopts the counter-affidavit filed by the respondent / LAC in the case of *Deepak Tyagi (supra)*.

We have heard the ld. Counsel for the parties. For the reasons stated in the judgment dated 12th July, 2016 in the case of *Deepak Tyagi (supra)* the writ petition is allowed.

The petitioners are entitled to a declaration that the acquisition proceedings with respect to the share of the petitioners in the subject land stand lapsed. Declared accordingly.

CM. No. 12374/2015

In view of the order passed in the writ petition, the application stand disposed of.

G.S.SISTANI, J

V. KAMESWAR RAO, J

DECEMBER 11, 2017/jg