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

+ W.P.(C) 7208/2015 & CM No.13237/2015

RAJ KUMAR & ORS Petitioners
Through: Mr. Aagney Sail, Adv.

versus

GOVT. OF NCT OF DELHI & ORS Respondents
Through: Mr. Yeeshu Jain, Standing Counsel
with Ms. Jyoti Tyagi, Adv. for L&B/LAC.
Mrs. Renuka Arora with Ms. Nikita Salwan, Adv.
for R-4/DSIIDC.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
25.09.2017

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1. The petitioners claim a direction that the suit lands in Rectangle No.34 - bearing Khasra Nos. 23(5-16) & 24(4-12), Village Karala are free from acquisition.
2. The land in the present case including the suit lands was notified for acquisition under Section 4 of the Land Acquisition Act, 1894 on 25.08.2005; the award was passed on 26.05.2008. The public purpose stated was for the development of the Rohini Residential Scheme and planned development of Delhi. The petitioners have approached this Court for a declaration that in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,

2013 (hereafter referred to as “the Act”), the acquisition is deemed to have lapsed.

3. This Court notices that the petitioners in this case have sought the benefit of Special Rehabilitation Package (SRP) by which they were granted additional compensation. In the common judgment in W.P.(C) No.5395/2015 & others (Jai Kishan & Ors. v. Govt. of NCT of Delhi & Ors.) decided on 21.02.2017, it was held that such land owners cannot seek the benefit of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Following the ratio of that decision, it is held that the relief claimed in this petition cannot be granted.

The writ petition is therefore dismissed.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

SEPTEMBER 25, 2017

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