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

+ W.P.(C) 7963/2015 & C.Ms.16176/15, 3718/16

ARJUN CHOPRA

..... Petitioner

Through: Mr. B. Tripathi and Mr. R. Pandey,
Advocates

versus

GOVT. OF NCT, DELHI & ORS

.....Respondents

Through: Mr. Siddharth Pandey, Advocate
for respondent-L&B/LAC
Ms. Shobhna Takiar, Advocate for
respondent-DDA

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE R.K. GAUBA

ORDER

28.08.2017

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In this case, the petitioner seeks a relief that by virtue of Section 24 (2) of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* (hereinafter referred to as 'the 2013 Act'), acquisition of suit lands are deemed to have lapsed.

The respondents i.e. Appropriate Government through the Land Acquisition Collector admits that in this case, possession of the suit lands i.e. Khasra No. 28/12 min (1-04) situated at the revenue estate of village Devli, New Delhi was not taken. The relevant part of the counter-affidavit reads as under: -

“That the land in question i.e., Khasra No. 28/12 min (1-04) situated at the revenue estate of village Devli, New Delhi forming part of 13 villages were notified under section 4 of Land Acquisition Act on 25.11.1980 followed

by declaration under section 6 of Land Acquisition Act on 15.05.1985 for Planned Development of Delhi. In pursuance of said notification, notices under section 9 & 10 as provided under the Act, were issued to the interested persons, inviting the claims from all the interested persons and claims were also filed by the interested persons. The then Land Acquisition Collector passed Award No. 19/87-88 dated 26.05.1987 after considering the claims of the claimants.”

In view of the above admission, the Court is of the opinion that the relief claimed shall be granted having regard to the declaration given by Supreme Court in *Pune Municipal Corporation and. Anr. v. Harakchand Misirimal Solanki and Ors.*, (2014) 3 SCC 183. Accordingly, a direction/declaration is issued that the acquisition of suit lands i.e. Khasra No. 28/12 min (1-04) situated at the revenue estate of village Devli, New Delhi is deemed to have lapsed. The writ petition is allowed. The pending applications also stand disposed of.

S. RAVINDRA BHAT, J

R.K. GAUBA, J

AUGUST 28, 2017

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