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

+ **W.P.(C) 183/2015**

ANJEET SINGH

..... Petitioner

Through: Mr. N. Prabhakar, Advocate

versus

THE HON'BLE LT. GOVERNOR OF DELHI & ORS.

..... Respondents

Through: Mr. Dhanesh Relan, Standing counsel
with Ms.Mrinalini Sharma & Mr. Rajiv Jha,
Advocates for Respondent/DDA
Mr. Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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07.12.2018

1. The Petitioner is seeking quashing of the land acquisition proceedings culminating the Award dated No. 36/80-81 dated 19th June, 1980 in respect of the land in Khasra No.52/02 in village Lado Sarai, New Delhi.

2. In the list of dates, after indicating that the aforementioned award was made it is simply stated that “1988 onwards: No compensation has ever been given to the petitioner in terms of the award, as per the provisions contained in Chapter V of the Land Acquisition Act, 1894.”

3. No attempt is made to explain the delay of nearly 35 years in approaching

the Court for relief. In the counter affidavit filed by LAC in paras 4 & 5 it is stated as under:

“4. That it is submitted that the lands of village Lado Sarai were notified vide Notification under section 4 of the Land Acquisition Act dated 13.11.1959 which was followed by Notification under section 6 of the said Act vide Notification dated 16.5.1966. The Award No. 36/80-81 was also passed on 19.6.1980 which was challenged by the petitioners in CWP No. 444/82. The said writ was disposed off in 1995 in lead case 'Roshnara Begum Vs UOI. It is submitted that the physical possession of the subject Land was however taken on 6.1.1988 on the spot and handed over to them. The Award file is in the Hon'ble Court of ADJ, Tis Hazari, Delhi. A letter dated 28.03.2017 has been sent to the Hon'ble ADJ, Tis Hazari, Delhi to return the said award file. The status of the compensation could not be ascertained as the Naksha Muntazamin is in torn condition. Hence it is humbly requested that the present case may not be decided against the interest of the Govt. till the above said award file is received from the Hon'ble Court. It is also submitted that the petitioner is admitting to the fact that the appropriate Government has taken the physical possession of the subject land falling in khasra number 52/02 measuring 14 biswa.

5. The petitioners are not the recorded owners of the acquired land and have no locus standi to file the present writ petition. The status of the compensation could not be ascertained as the Naksha Muntazamin is in torn condition. It is nowhere mentioned whether the compensation was paid or not but as per the Khatauni and the Statement A, the recorded owners and their respective shares are as under:

S.No.	Name of Recorded Owner with particulars	Share	Compensation	Remark
1.	Radhey Shyam s/o Hazari Lal	¼ share	22892.77	Disputed
2.	Surendra Kumar s/o	¼ share	22892.77	Disputed

	Guni Nath			
3.	Smt. Shakuntla Devi (Wd/o Munshi Ram d/o Kishori Lal	¼ share	2246.85	Disputed
4.	Braham Prakash & Godu Prasad sons of Shanti Swarup	¼ share	22892.76	Disputed

4. Clearly the aforementioned persons have not pursued the matter. The Petitioner too appears to not have made any effort in that regard.

5. In view of the inordinate delay in approaching the Court for relief, the Court is not inclined to entertain this petition and the same is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 07, 2018

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