

\$~46

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

+ W.P.(C) 1174/2015

PRATEEK MEHNDIRATTA & ANR

..... Petitioners

Through Mr. Mahesh Prasad, Mr. Ravinder Kumar
Singh & Mr. Rajesh Singh Chauhan,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through Mr. Jaswant Rai Aggarwal with Ms.
Salvika Goyal, Advocates for R-1/UOI.
Mr. Yeeshu Jain with Ms. Jyoti Tyagi,
Advocates for L&B/LAC alongwith Mr.
Deepak Suri, Kanoongo.
Mr. Arjun Pant, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

24.09.2018

Mr. Mahesh Prasad, counsel for the petitioners prays that the award bearing no.1724 dated 23.06.1964 is liable to be quashed as the Khasra numbers of the land of the petitioners were not subject matter of Section 4 notification dated 13.11.1959 and Section 6 notification dated 21.09.1963. Counsel submits that in view thereof the award is liable to be quashed.

Ms. Tyagi, counsel for the LAC submits that the land (subject matter of the writ petition) was part of a writ petition bearing W.P. (C) 8593/2014 titled 'Abhishek Jain Vs. Union of India and others'. By judgment dated 09.02.2015 passed in W.P. (C) 8593/2014, the entire acquisition proceedings including the subject matter of the writ petition have already been ordered to have lapsed. She submits that in view thereof, no further orders are required to be passed.

Mr. Prasad submits that in case the Land Acquisition Collector (LAC) or

the DDA assails the judgment dated 09.02.2015, the grounds raised by him in the present writ petition should be kept open and he should be granted liberty to seek such remedy as available and in accordance with law including filing a fresh writ petition, in case, any order is passed, which would adversely affect the right of the petitioners in an appeal which may arise out of judgment dated 09.02.2015.

In view of the stand taken by learned counsels for the parties, the writ petition is disposed of binding the LAC to the stand taken in Court today that the acquisition proceedings pertaining to the land (subject matter of the writ petition) are already deemed to have lapsed in view of the judgment passed on 09.02.2015. Liberty, as prayed, is granted.

CM APPL. 2064/2015 (stay)

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

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 24, 2018/ck/

W.P.(C) 1174/2015

2/2