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

+ **W.P.(C) 5271/2018**

BALRAM AND ORS.

..... Petitioners

Through: Mr.Manoj Kumar, Advocate.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr.Yeeshu Jain with Ms.Jyoti Tyagi,
Advocates for L&B/LAC.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
21.12.2018

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C.M.No.54305/2018 (restoration)

1. For the reasons stated in the application, the order dated 29th November 2018 is recalled and the writ petition is restored to file. The application is disposed of.

W.P.(C) 5271/2018

2. The writ petitioners seek a declaration of lapsing of acquisition proceedings in respect of land comprising Khasra No.393/264/2 (00-07), situated in the revenue village of Chilla Saroda Bangar, Delhi, pertaining to an Award No.39/1982-83 dated 13th September, 1982.

3. In the list of dates, there is no narration whatsoever for the gap of 36 years thereafter except stating that the 2013 Act came into force on 1st January, 2014.

4. This Court has in the recent past passed several orders dismissing the writ petitions on the ground of laches where no satisfactory explanation was given by the petitioners in approaching this Court. One such order is dated 17th December, 2018 in W.P. (C) No.1380/2016 (*Bhule Ram v. Union of India*) where in similar circumstances it was observed as under:

“6. In *Mahavir v. Union of India (2018) 3 SCC 588*, the Supreme Court held as under:

“23. In the instant case, the claim has been made not only belatedly, but neither the petitioners nor their previous three generations had ever approached any of the authorities in writing for claiming compensation. No representation had ever been filed with any authority, none has been annexed and there is no averment made in the petition that any such representation had ever been filed. The claim appears not only stale and dead but extremely clouded. This we are mentioning as additional reasons, as such claims not only suffer from delay and laches but courts are not supposed to entertain such claims. Besides such claims become doubtful, cannot be received for consideration being barred due to delay and laches.

24. The High Court has rightly observed that such claims cannot be permitted to be raised in the court, and cannot be adjudicated as they are barred. The High Court has rightly observed that such claims cannot be a subject matter of inquiry after the lapse of a reasonable period of time and beneficial provisions of Section 24 of the 2013 Act are not available to such incumbents. In our opinion, Section 24 cannot revive those claims that are dead and stale.”

7. The Court is not satisfied that the inordinate delay in approaching the Court for relief has been adequately explained”.

5. This writ petition is accordingly dismissed on the ground of laches.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 21, 2018

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