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

+ W.P.(C) 5259/2018 and CM No. 20395/2018 (stay)

SMT. KUSUM LATA SINGAL ..... Petitioner

Through: Mr Ravi Gupta, Sr Adv with  
Mr Kamal Bansal, Adv

versus

UNION OF INDIA AND ANR. .... Respondents

Through: Mr Chiranjeev Kumar and  
Mr Mukesh Sachdeva, Advs for UOI  
Mr Yeeshu Jain and Ms Jyoti Tyagi,  
Advs for L&B/LAC  
Mr Sanjeev Sabharwal, SC with  
Mr Hem Kumar and Ms Simmee  
Kumari, Advs for DDA

+ W.P.(C) 5266/2018 and CM No. 20416/2018 (stay)

SH. ANAND PRAKASH SINGAL ..... Petitioner

Through: Mr Ravi Gupta, Sr Adv with  
Mr Kamal Bansal, Adv

versus

UNION OF INDIA AND ANR. .... Respondents

Through: Mr Chiranjeev Kumar and  
Mr Mukesh Sachdeva, Advs for UOI  
Mr Yeeshu Jain and Ms Jyoti Tyagi,  
Advs for L&B/LAC  
Ms Mrinalini Sen Gupta and  
Ms Niharika Jauhari, Advs for DDA

+ W.P.(C) 5267/2018 and CM No. 20418/2018 (stay)

SH. ANAND PRAKASH SINGAL AND ORS. .... Petitioners

Through: Mr Ravi Gupta, Sr Adv with  
Mr Kamal Bansal, Adv

versus

UNION OF INDIA AND ANR. .... Respondents

Through: Mr Chiranjeev Kumar and  
Mr Mukesh Sachdeva, Advs for UOI  
Mr Yeeshu Jain and Ms Jyoti Tyagi,  
Advs for L&B/LAC  
Ms Mrinalini Sen Gupta and  
Ms Niharika Jauhari, Advs for DDA

**CORAM:**

**HON'BLE MR. JUSTICE G.S.SISTANI**

**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

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**03.07.2018**

In W.P.(C) 5259/2018 and W.P.(C) 5266/2018, on 12.08.1997 a notification under Section 4 and 17(1) of the Land Acquisition Act, 1894 was issued for land measuring 156 bigha 15 biswas situated at Village Tikri Kalan, Delhi for the purpose of setting up of a Sports School Near Ghevra More, Rohtak Road (NH-10), West Delhi.

In W.P.(C) 5267/2018, on 17.12.2002 a notification under Section 4 of the Land Acquisition Act, 1894 was issued for land measuring 480 bigha 12 biswas situated at Village Tikri Kalan, Delhi for the purpose of construction of 400/220 KV Grid Sub-Station.

The land of the petitioners is detailed below:-

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|-----------------------|----------------------------------------------------------------------------------------------------------------------|
| (1) W.P.(C) 5259/2018 | 29 bigha 19 biswas comprised in Khasra No. 65/14, 65/15 (min), 65/18/1, 65/23/1, 65/24, 66/19, 66/21 and 66/22/1     |
| (2) W.P.(C) 5266/2018 | 20 bigha 7 biswas comprised in Khasra No. 65/16, 65/17, 65/23/2, 65/25/1, 65/25/2, 66/20/2 and 66/22/2               |
| (3) W.P.(C) 5267/2018 | 44 bigha 13 biswa comprised in Khasra Nos. 71/1, 71/2, 71/3m 71/4/1, 71/7/2, 71/8, 71/9, 71/10, 71/11, 72/5 and 72/6 |

An award was rendered qua W.P.(C) 5259/2018 & W.P.(C) 5266/2018 on 15.09.1998 and qua W.P.(C) 5267/2018 on 20.09.2004. Being dissatisfied with the compensation awarded, the petitioners filed a reference application under Section 18 of the Land Acquisition Act on 23.10.1998 (in W.P.(C) 5259/2018 & W.P.(C)

5266/2018) and on 14.09.2005 (in W.P.(C) 5267/2018). Thereafter, a supplementary award was made on 22.09.2005 (in W.P.(C) 5259/2018 & W.P.(C) 5266/2018). The reference petition filed by the petitioners is still pending. In the meanwhile, it is not disputed that compensation awarded was accepted by the respective petitioners under protest. Physical possession was taken over. Mr Ravi Gupta, learned senior counsel appearing for the petitioners had sought to urge that the acquisition proceedings would deem to have lapsed since the entire compensation has not been tendered to the petitioners as reference under Section 18 is pending. Counsels for the respondents have, however, opposed the writ petitions on the ground that the writ petitions are not maintainable as the compensation has been tendered and the possession taken. After some hearing in the matter, Mr Gupta, on instructions, wishes to withdraw the writ petitions; however, he seeks liberty to raise grounds as urged in these writ petitions pertaining to enhanced compensation under the new Act before the reference Court.

The writ petitions are dismissed as withdrawn with liberty as prayed pertaining to prayer (c). All legal objections of the respondents are kept open.

*Dasti* under signatures of the Court Master.

**G.S.SISTANI, J**

**SANGITA DHINGRA SEHGAL, J**

**JULY 03, 2018 / SU**

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