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

+ **W.P.(C) 6135/2014**

**AJIT SINGH**

..... Petitioner

Through: Mr.S.P.Singh Rathore, Advocate

versus

**UNION OF INDIA & ORS.**

..... Respondents

Through: Mr. Dhanesh Relan, Standing counsel  
with Ms. Mrinalini Sharma & Mr. Rajiv Jha,  
Advocates

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 has come to this Court for a direction to the Respondents to return the acquired land situated in Khasra No.587/202. In the amended writ petition, the prayer reads as under:

“(i) direct the respondents to elapse/return the land/property measuring about 11 Bigha 11 Biswas in Khasera No. 587/202 situated within the revenue estate of Village Khichripur, Delhi as per the documents of the petitioner, in the interest of justice.”

2. In the counter affidavit filed by the LAC, it is *inter-alia* pointed out in paras 4 & 5 as under:

“4. That the present writ petition is liable to be dismissed as the petitioner is seeking the relief (11-11) falling in Khasra number

587/202 village Khichripur, however the petitioner has not disclosed the correct description of said khasra number nor the measurement thereto. It is submitted that the khasra number 587/202 consists of four parts/ min i.e 587/202/1/2 (7-09), 587/202/2/2 (12-00), 587/202/1/3 (3-15) and 587/202/1/4 (7-08). It is submitted that the actual vacant physical possession of subject land falling in khasra numbers 587/202/2/2 (10- 02), 587/202/1/3 (3-15) and 587/202/1/4 (7-08) was duly taken on the spot on 20.11.1975 and handed over to requisition agency on the spot by preparing possession proceeding. The possession of khasra number 587/202/1/2 (7-09) however could not be taken. The compensation of Rs. 45430.09 and Rs. 1045.87 was paid to Khacheru on 12.10.76 and 22.3.78 respectively whereas Rs 22353.45 were sent to Reference Court u/s 30-31 of Act, 1894 on 14.2.1978. The petitioners have also not shown as to how they are entitled to claim the relief in the present writ petition as no mutation document showing their names have been filed.

5. That it is submitted that for the purpose of planned development of Delhi, the answering Respondent issued a Notification u/s 4 of the Land Acquisition Act, 1894 on 13.11.1959 which was followed by Notification u/S 6 of the said Act for the acquisition of the lands falling in the khasra number under reference in village Khichripur, Delhi. That an Award no. 28-B/70-71 dated 14.3.1977 was also passed and the actual vacant physical part possession of the subject land was also taken vide possession proceedings dated 20.11.1975 and compensation was tendered and paid in the manner, stated supra.”

3. It is therefore seen that the Petitioner is seeking relief in respect of land acquisition proceedings that concluded with Award dated 14<sup>th</sup> March, 1977 and in respect of which possession was taken way back on 20<sup>th</sup> November, 1975 and amount sent to the Reference Court on 14<sup>th</sup> February, 1978.

4. There is no explanation whatsoever in the petition for the extra ordinary delay of nearly four decades in approaching the Court. In other words, there

is no narration of what the Petitioner was doing for over 40 years in seeking relief in respect of the land acquisition proceedings. Even otherwise, as pointed out by the Respondents, how the Petitioner is entitled to the relief sought is also not clear.

5. Consequently, the Court declines to entertain this petition and it is dismissed.

**S. MURALIDHAR, J.**

**SANJEEV NARULA, J.**

**DECEMBER 07, 2018**

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