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

+ **W.P.(C) 3269/2017**

ANIL BHARDWAJ

..... Petitioner

Through: Mr. M.P. Bhargava, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Sapna Chauhan, Advocate for
DDA.
Mr. Siddharth Panda and Mr. Ashish
Pradhan, Advocates for LAC/L&B/R-
4 & R-5.
Mr. Nirvikar Verma, Advocate for
UOI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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20.12.2018

1. The prayer in this petition is that the Court should declare that the acquisition proceedings with respect to 2 Bighas 2 Biswas of land comprised in Khasra No.765/613 (2-2), situated in revenue Estate of Village Maidan Garhi, Hauz Khas, New Delhi is deemed to have lapsed in view of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('the 2013 Act').

2. Enclosed with the reply filed by the DDA on 16th May 2018, as Annexure- R-1 is a copy of the possession proceeding dated 16th July

1987 which shows that the land in question was taken over by the LAC/L&B Department and handed over to the DDA on that date. Further, enclosed as Annexure R-2 to the reply of the DDA is a document titled “Details of the compensation paid”, which shows that compensation was paid to the predecessor in interest of the Petitioner. No rejoinder has been filed thereto till date by the Petitioner to controvert the said assertion.

3. The counter affidavit filed by the LAC on 27th November 2018 also confirms in para 8 that “the possession of the land was taken over and handed over to the beneficiary department on 16.07.1987” and that compensation was paid to each of the recorded owners including the predecessor in interest of the Petitioner giving the cheque details and the dates of payment in August and October 1987. Here again, no rejoinder has been filed by the Petitioner to dispute the above facts.

4. In that view of the matter, there is no merit in the writ petition. It is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 20, 2018

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