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

+ **W.P. (C) 4934/2015 & C.M.Nos.36445/2018 & 3029/2018**

VIJAY SINGH RATHI

..... Petitioner

Through: Mr.Prem Sagar Pal, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Siddharth Panda and Mr.Ashish Pradhan, Advocates for LAC/L&B/R1 & R2.
Mr.Baldev Singh and Ms.Ritu Sharma, Advocates for Applicant Raj Bala Chaudhary in C.M.No.36445/2018.
Mr.Dhanesh Relan, Standing Counsel with Ms.Mrinalini Sharma and Ms.Gauri Chaturvedi, Advocates for DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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10.12.2018

1. Nearly three decades after an Award was passed in land acquisition proceedings, the Petitioner has approached this Court seeking a declaration that they have lapsed. The precise pleading in paragraph 8 of the writ petition is that:

“.....the acquisition proceedings initiated under the

W.P.(C) 4934/2015

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Land Acquisition Act, 1894 in respect of which award bearing No.2181-D/82-83/supplementary dated 20.09.1982 and 17.11.1986 were made, in respect of the land comprised in Khasra No.585/529(3-2) admeasuring three bighas and two biswas and Khasra No.612/532(2-15) admeasuring two bighas and fifteen biswas, in village Kasoompur, tehsil, Mehrauli, District South-West, New Delhi, has lapsed, as provided by Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, rehabilitation and Resettlement Act, 2013”.

2. The Petitioner claims that neither the compensation amount granted by the above Award and supplementary Award was paid to his predecessor-in-interest nor to himself and that the Petitioner is still in actual possession of the land in question.

3. There is absolutely no attempt made anywhere in the petition to explain why the Petitioner did not approach this Court at any time during the past thirty years for relief. Although, it is the case of the Petitioner that because of the 2013 Act, he is entitled to relief, the Petitioner is obliged to explain to the Court the reasons for the inordinate delay in filing this petition seeking relief.

4. In the writ jurisdiction under Article 226 of the Constitution of India, the power to grant relief is discretionary. The person approaching the Court has to seek such relief in reasonable time and a failure to do so will disentitle such person from being granted any discretionary relief.

5. On the ground of laches, the writ petition is dismissed. The interim order

stands vacated. The applications are dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 10, 2018/‘dc’