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

+ **W.P.(C) 9148/2016**

KHAZAN SINGH

..... Petitioner

Through: Mr. Raghu Vasisth, Advocate

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Ms. Mrinalini Sen, Standing Counsel,
DDA with Mr. Tanmay Yadav,
Advocate.
Mr. Siddharth Panda, Advocate with
Mr. P. Venkatesan, Advocate for
LAC/L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **31.10.2018**

C.M. No. 28966/2018 and W.P. (C) 9148/2016

1. This is an application by Smt. Siksha seeking impleadment in the present writ petition claiming to be the daughter of the Petitioner.

2. According to the applicant, the Petitioner expired on 30th December, 2016.

3. It is contended that the present petition has been filed seeking directions for quashing the acquisition proceedings in respect of land admeasuring 5 *biswa* forming part of Khasra no.22/9 situated at village Kakrola, Delhi. It is submitted that the acquisition proceedings have lapsed in view of Section

24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. In the counter affidavit filed by the Land Acquisition Collector, ADM, District South West, to the main writ petition itself, certain facts have been brought on record which reveal that the land in question, i.e. Khasra No. 22//9 (0-5) situated in revenue estate of village Kakrola, Delhi was notified under Section 4 of the Land Acquisition Act, 1894 (LAA) on 6th June, 1991, followed by declaration under Section 6 of the LAA. The public purpose was the planned development of the Delhi.

5. In pursuance of said notification, notices under Sections 9 and 10 of the Act were issued and claims were invited from interested persons and an award was passed way back on 2nd April, 1993. It is asserted that the total land in Khasra no. 22//9 to the extent of 2 *bighas* and 8 *biswas* was acquired under the said award. The physical possession was taken over on 2nd March, 1994.

6. It is pertinently pointed out that even in respect of the land for which the claim was made, compensation was already paid on 20th March, 1993 and 8th September, 1998. It is stated that suppressing all of the above facts, an order was obtained from the Civil Court on 8th June, 2011 in Suit No. 14/2011 misrepresenting the description of the land as being situated in Khasra No. 22/9 (measuring 0-5 biswa) whereas in fact the correct description would be Khasra No. 22//9.

7. It is further pointed out by the LAC that possession of even this land was

already taken over and the relevant documents in that regard have also been enclosed with the said reply. Additionally, it is asserted again with reference to the documents that have been enclosed that the original Petitioner filed an execution petition which was subsequently withdrawn on receipt of the full compensation.

8. In that view of the matter, there is no question of entertaining any further claim in respect of the land in question from any party.

9. The writ petition and the application are accordingly dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

OCTOBER 31, 2018

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