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

+ **W.P.(C) 5670/2015**

MONIKA SHUKLA & ORS. Petitioners

Through: Mr.A.K.De, Ms. Ananya De &
Mr. Anjan Sinha, Advocates

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Mr. Arjun Pant, Advocate for
Respondent/DDA

Mr. Abhay Prakash Sahay, CGSC for
Respondent/UOI

Mr. Pramod Kumar & Mr. Shavej Khan,
Advocates for Respondent No.2

Mr. Yeeshu Jain, Standing counsel with Ms. Jyoti
Tyagi, Advocates for Respondent/L & B /LAC

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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05.12.2018

1. The prayer in this petition is for a declaration that the land acquisition proceedings in respect of the lands described in para 2 of the writ petition have lapsed in view of the Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('the 2013 Act').

2. There are 47 Petitioners. As noted by the Petitioner himself in para 3, the

public purpose for which the lands were required was the 'Rohini Residential Scheme under Plan Development of Delhi.'

3. There are petitions pending in the Supreme Court, where in respect of lands acquired for the Rohini Residential Scheme, the Supreme Court has categorically held that there can be no interim orders passed by this Court and has asked that all such orders be vacated. It has also been made clear that even lands of which possession could not be taken, have to be surrendered by those in occupation of such lands. By its orders dated 18th October, 2016 and 10th March, 2015 in in SLP (C) Nos. 16385-16388/2012 (*Rahul Gupta v. Delhi Development Authority*), the Supreme Court has held that the DDA will be deemed to be in possession of such lands.

4. In view of the above development, the question of the Petitioners in this case being entitled to a declaration as sought for does not arise.

5. Learned counsel for the Petitioners then submits that the Petitioner will be satisfied if their claim for compensation is processed in terms of the 2013 Act.

6. In that view of the matter, it is directed that subject to each of the Petitioners satisfying the concerned Land Acquisition Collector of their status and entitlement to receive compensation by producing the chain of the property title/authorisation, the LAC will pass separate orders in respect of each of such claims, in terms of the 2013 Act, within twelve weeks of the complete documentation being provided to the LAC.

7. No further orders are called for in this petition. If any of the Petitioners is dissatisfied with the order passed by the LAC, it will be open to such Petitioner to seek appropriate remedy in accordance with law.

8. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 05, 2018

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