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

% *Date of Judgment: 18th July, 2018*

+ W.P.(C) 10380/2016

SANTOSH PURI

..... Petitioner

Through Mr. D.P. Singh, Advocate.

versus

LAND & BUILDING DEPARTMENT AND ANR Respondent

Through Mr. Yeeshu Jain, Standing Counsel
with Ms. Jyoti Tyagi, Advocate for
L&B/LAC.

Mr. Dhanesh Relan, Advocate for
DDA.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J. (ORAL)

1. The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a declaration that the acquisition proceedings initiated in respect of the land of petitioner comprised in Khasra no.265 to the extent of one bigha, situated in the revenue estate of village Shahbad Daulatpur, Delhi (hereinafter referred to as 'the subject land') 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 (hereinafter referred to as the '2013 Act'), as neither the possession of the subject land has been taken nor the compensation has been tendered to the petitioner.
2. Counsel for the petitioner submits that in this case a notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as

‘the Act’) was issued on 28.04.1995, a Section 6 declaration was made on 26.04.2013. Thereafter, an Award bearing no.6/2014-15 was rendered on 19.03.2015.

3. Counsel for the petitioner has brought to the notice of the Court an order dated 16.05.2017 passed by a Coordinate Bench of this Court in W.P. (C) 8989/2014 **‘N.K. Bakshi & Ors. Vs. Union of India & Ors.,** pertaining to Khasra no.261, 264 & 265 falling in the revenue estate of village Shahbad Daulatpur, Delhi, by which, the acquisition proceedings have been declared as having lapsed. Counsel contends that the subject matter of the present writ petition pertains to one bigha falling in Khasra no.265.
4. Having regard to the order dated 16.05.2017 passed in W.P. (C) 8989/2014, no separate orders are required to be passed in the present writ petition as the entire land falling in Khasra no.265 has already been declared lapsed. We make it clear that we have not expressed any opinion with regard to the title of the petitioner. Dispute, if any, shall be decided in the appropriate court of jurisdiction.
5. Accordingly, the present writ petition stands disposed of.

G.S.SISTANI, J.

SANGITA DHINGRA SEHGAL, J

JULY 18, 2018

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