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

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**W.P.(C) 10800/2016**

**RAJ SINGH**

..... Petitioner

Through: Mr.Ketan Madan, Advocate.

versus

**UNION OF INDIA & ANR.**

..... Respondents

Through: Ms. Aastha Tyagi, Adv. for  
LAC/L&B.  
Ms. Shobhna Takkiar, Advocate for  
DDA.

**CORAM:**

**JUSTICE S.MURALIDHAR**

**JUSTICE SANJEEV NARULA**

**ORDER**

**27.11.2018**

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1.The Petitioner seeks a declaration that the acquisition proceedings with respect of land comprised in khasra number 450 (3-12), 451 (9-11) and 453 (2-19) in all 16 bigha 02 biswas to the extent of the Petitioner's 3/16 share to the extent of one bigha situated in the Revenue Estate of Village Jasola, Delhi acquired vide Award No. 21/1991-92 dated 18.06.1992 in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013.

2. According to the Petitioner, he is the recorded owner and continues to remain in possession of the land in question. He further asserts that no

compensation has been paid to him despite the Award having been made as far as back as 18<sup>th</sup> June, 1992.

3. In the counter affidavit filed by the Land Acquisition Collector (‘LAC’) it is, *inter alia*, stated that the possession was taken on 19<sup>th</sup> January, 2006 by the LAC. However, it is stated that “details of payment of compensation Statement-A is not available with the LAC Branch hence it is not possible to state anything about payment of compensation”.

4. This Court has in similar instances where Statement-A is not available, proceeded on the basis that compensation has not been paid to the land owner. As far as the Respondent No.2 Delhi Development Authority (‘DDA’) is concerned, in the counter affidavit filed by it, while it is asserted that physical possession of the land was handed over to the DDA on 19<sup>th</sup> January, 2006, it is unable to dispute the photographs placed on record by the Petitioner to show his continued possession except by saying that it could be of “any area”.

5. The DDA further states that it released a sum of Rs.10 crores to the Land and Building Department way back on 28<sup>th</sup> August, 1990 in respect of the land acquired under Award No. 21/1992-93. However, it appears that although the said amount was released by the DDA to the L&B Department, it was not in turn paid to the land owners.

6. With the condition for attraction of Section 24 (2) of the 2013 Act being fulfilled, the Court issues a declaration that the aforementioned acquisition proceedings have lapsed.

7. The petition is accordingly allowed.

**S. MURALIDHAR, J.**

**SANJEEV NARULA, J.**

**NOVEMBER 27, 2018**  
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