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

+ **W.P.(C) 10672/2016**

RAM KISHAN & ORS

..... Petitioners

Through Mr.Sunil K Goel, Advocate.

versus

UNION OF INDIA & ANR

..... Respondents

Through Mr. Siddharth Panda with Mr.Ashish Pradhan, Advocates for L&B/LAC.
Mr.Sanjeev Sagar, Standing Counsel for DDA with Ms.Nazia Parveen, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **22.11.2018**

1. Along with the rejoinder affidavit of the Petitioner, the translated copies of the Khatauni and the Naksha muntazim have been placed on record as regards land in Khasra No.113. While noting that claim No. 181 is 'disputed' there is also an endorsement therein that the LAC (ME) had passed an order on 17th June 1977 determining Rs.1909.25/- to be the compensation for the 1/8th share payable to Lakhan son of Jaimal. It also shows that the claim applications were also filed by Mahinder, Rumal, Charan singh, Ramphal, Ratan Gotia, Phool Chand etc.

2. Counsel for the Petitioners maintains that these notings only indicate that orders were passed for payment of compensation but no compensation has in

fact been paid to the claimants. He further states that the possession of the land in question is still with the Petitioner.

3. While the Petitioners claim that possession is with them, the LAC states that the physical possession of the land in question was taken away back in 1977. As regards to the issue of compensation, the Petitioners do not dispute that the Award in this case was passed away back on 23rd March 1997. It is further evident that claims for compensation were in fact filed. It cannot therefore be said that the land owners were unaware about the land acquisition proceedings or their right to receive compensation. In the event that the Petitioners, after orders were passed in their claim petitions by the LAC for payment of compensation, were still not paid compensation, it is highly unlikely that for over 40 years thereafter they would keep quiet. The Court is therefore not convinced that the present petition is *bona fide* since it has been filed as late as 2016 i.e. 39 years after the Award was passed and the compensation amount was determined to be paid.

4. For the above reasons, the Court is not inclined to entertain this petition. It is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 22, 2018

Pallavi