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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6152/2017 & CM Appl. Nos. 25604/2017 & 36361/2017**

JCT LIMITED & ORS Petitioners
Through Mr. Samit Khosla & Mr. Deepak
Khosla, Advocates

versus

UNION OF INDIA & ORS Respondents
Through Mr. Arjun Pant, Advocate for
Respondent/DDA
Ms. Prabhsahay Kaur, Advocate for Respondent
No.5/GNCTD
Mr. Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/L & B/LAC

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
01.11.2018

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1. There are two prayers in this writ petition. The first is for a declaration that the adjudication proceedings which commenced with the notification dated 25th November, 1980 issued under Section 4 of the Land Acquisition Act, 1894 in respect of the land admeasuring 9 bighas (1.87 acre), comprised in Khasra No. 680/2(2-17), 683/111(1-00), 683/1/2 (1-00), 683/2(0-16), 683/3(1-08), 679(0-19) & 684(1-00), situated in the Revenue Estate of Village Chhattarpur, Tehsil Saket (M.B. Road), New Delhi stand lapsed in terms of Section 24 (2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (the 2013 Act).

2. In the counter affidavit filed both by the LAC as well as the DDA the admitted position is till date that possession of the land in question has not been taken. Further in the counter affidavit of LAC, it is stated that although initially the compensation was kept in a revenue deposit account, it was appropriated for some other awards and not for the award in the present matter.

3. The net result is that neither has possession of the land in question been taken nor has any compensation paid to. Consequently, in terms of Section 24 (2) of the 2013 Act, the Court declares that the aforementioned acquisition proceedings to have lapsed.

4. The second prayer regarding issuance of an NOC is not capable to be granted in the present petition. It will be open to the Petitioner to seek other remedies in that regard in accordance with law.

5. The petition is disposed of in the above terms. The pending applications are also disposed of.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 01, 2018

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