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

+ **W.P.(C) 7148/2017 & C.M. Appl.No. 29603/2017**

DIPIKA MISHRA

..... Petitioner

Through: Ms. Deepika V.Marwaha &
Ms.Raunika Johar, Advocates

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS.

..... Respondents

Through: Ms. Aakanksha Kaul, Advocate for
Respondent/DDA
Mr. R.K.Sharma, Advocate for Respondent/L & B

+ **W.P.(C) 7149/2017 & C.M. Appl.No. 29621/2017**

M/S G.D. TIWARI & CO.

..... Petitioner

Through: Ms. Deepika V.Marwaha &
Ms.Raunika Johar, Advocates

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ORS.

..... Respondents

Through: Mr. Rahul Bakshi, Advocate for
Respondent/DDA
Mr. B.Mahapatra, Advocate for Respondent/LAC

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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05.12.2018

1. In both these petitions, the Petitioners seek a declaration that the acquisition proceedings in in respect of the land of the Petitioners situate in

Revenue Estate of Village Malikpur Kohi @ Rangpuri, New Delhi have 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'). While in W.P. (C) 7148 of 2017 the declaration is sought in respect of land admeasuring 1 Bigha comprised in Khasra No. 1447 min, in W.P. (C) 7149 of 2018 it is sought in respect of the land of the Petitioner admeasuring 1/2 share out of 3 Bighas 12 Biswas comprised in Khasra No.1447(1-18), 1448/1(0-6), 1448/2(1-8).

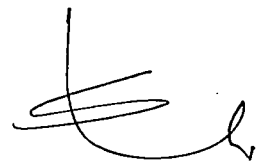
2. It is not in dispute that the acquisition of the lands in question in both petitions are covered by Award No. 3/1998-1999 dated 26th February, 1999. In respect of the very same land acquisition proceedings and the very same Award No.3/1998-99, a series of orders have been passed by this Court including the order dated 9th May, 2017 in WP(C) 11067/2015 (***Dr. Asha Shukla Choubey v. GNCTD***) and order dated 31st July, 2017 in WP(C) 11370/2015 (***Neelam Diwan v. GNCTD***) and six other cases where a declaration that the land acquisition proceedings have lapsed has been issued. In all the said cases, it was noted that neither was possession taken nor compensation tendered in the manner required by law.

3. In the present cases too, the Respondents are unable to dispute that in the acquisition proceedings are covered by Award No. 3/1998-99. Further, neither has possession been taken till date nor compensation paid.

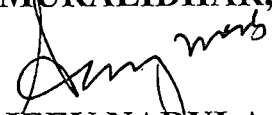
4. Following the above orders, the Court issues a declaration that land

acquisition proceedings in respect of the lands in question have lapsed in terms of Section 24 (2) of the 2013 Act,

5. The petitions and applications are disposed of.



S. MURALIDHAR, J.



SANJEEV NARULA, J.

DECEMBER 05, 2018

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