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

+ W.P.(C) 10847/2018

SHRI AJAY SEHRAWAT AND ORS. Petitioners

Through: Mr Sumeet Shokeen, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr Anupam Srivastava, ASC for
GNCTD with Ms Shreya Mehta,
Advocate for R-1, 4, 7 & 8.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.10.2018**

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

“a) issue a writ of mandamus or any other appropriate order(s)/writ/direction(s) thereby directing the Respondents to provide a road/lane/path/raasta to reach/approach the Cremation ground situated in Village Bakkarwala, New Delhi; and

b) issue a writ of mandamus or any other appropriate order(s)/writ/direction(s) thereby directing the Respondents to complete the acquisition proceedings as initiated by the Respondents with respect to the road/lane/path/raasta to reach/approach the Cremation ground situated in Village Bakkarwala, New Delhi preferably within a period of 2 months or any other time period as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case; and

c) or in the alternative issue a writ of mandamus or any other appropriate order(s)/writ/direction(s) thereby directing the Respondents to initiate a fresh acquisition proceedings to provide a road/lane/path/raasta to reach/approach the Cremation ground situated in Village Bakkarwala, New Delhi and complete the whole acquisition proceedings preferably within a period of 6 months or any other time period as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case; and”

2. The grievance of the petitioners relates to securing an access to the Cremation Ground. The learned counsel appearing for the petitioners have drawn the attention of this Court to an order dated 11.07.2014 in the petition filed earlier (W.P. (C) 6785/2012), which *inter alia* records that acquisition of the land for the said access was being processed by LAC (West) and a draft for acquisition of the land had been submitted to the L&B Department. In view of the above, this Court had observed that it was expected that the Competent Authority would complete the process expeditiously and the petition, W.P.(C) 6785/2012, was disposed of.

3. The learned counsel appearing for respondent nos.1 to 4 states that the process for acquisition of land would have to be recommenced under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the same is required to be done by respondent nos.5 & 6. The petitioners have no information in this regard.

4. In view of the above, the present petition is disposed of by directing that if respondent nos.5 and 6 are still intending to acquire the land, they shall complete the acquisition as expeditiously as possible. If for any reason

respondent nos.5 and 6 have decided to abandon the process for acquiring land, they shall communicate the same to the petitioners. The petitioners are at liberty to approach the concerned Authority for ascertaining the current status of the process and also make a representation in this regard. It is directed that if any representation is so made, the same shall be disposed of within a period of the twelve weeks of such a representation being made. If aggrieved by any such decision, the petitioners are at liberty to apply.

5. The petition is disposed of.
6. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

OCTOBER 10, 2018
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