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

+ **W.P.(C) 8033/2015 & C.M. Appl.No. 16470/2015**

AJIT SINGH & ANR.

..... Petitioners

Through: Mr. S.P.Singh Rathore, Advocate
versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Roshan Lal Goel & Ms.Anju
Gupta, Advocates for Respondent No.1
Mr. Arjun Pant, Advocate for Respondent/DDA
Mr. J.P.Singh, Advocate for Respondent
No.5/DMRC
Mr. Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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07.12.2018

1. The Petitioner is seeking a direction to the Respondents as under:

“i) Direct the respondents to return the land/property having comprised situated in Khasra No. 325 (10-16) bigha situated in village Khichripur, Delhi-110 091”

2. In the counter affidavit filed by the LAC, it is stated in para 5 as under:-

“5. That it is submitted that the lands of village Khichripur were notified under section 4 of the Land Acquisition Act, 1894 and the Award was also passed vide Award No. 28-B/70-71 dated 7.11.1975. It is submitted that the physical possession of the khasra numbers 325/1 (10-16) was duly taken on the spot on 5.4.1977 and handed over to the requisition agency on the spot by preparing possession proceedings. It is submitted that as per the entry in the RD register, the compensation of Rs. 13,024.09 stands deposited with Reference Court u/s 30-31 of the Act, 1894 on 7.3.1979. Thus, the answering

respondent duly discharged the the obligation of tendering the compensation as since there was an apportionment dispute, the same was referred to the Ld. Reference Court. The petitioners have also not asserted as to whether any steps were initiated by them if the compensation was not paid to their fore-father or them since 1977 as the recorded owners were shown to be Barbat S/o Yaqub, Mushtaq Ahmed and Ahsan Ali s/p Jan Mohammed etc. and antecedents of petitioners are not clear.”

3. It is therefore seen that the Petitioner is seeking relief in respect of land acquisition proceedings where an Award was passed way back on 7th November, 1975 and physical possession was taken on 5th April, 1977. There is no explanation by the Petitioner for the inordinate delay of nearly four decades in approaching this Court for relief.

4. In that view of the matter, the Court is not inclined to entertain this petition. The petition and application are dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 07, 2018

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