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

+ **W.P.(C) 8634/2015**

KAMLESH & ORS. Petitioners

Through: Mr. N.Prabhakar, Advocate

versus

LT. GOVERNOR OF DELHI & ORS. Respondents

Through: Ms.Mrinalini Sen & Ms. Niharika

Jauhari, Advocates for Respondent/DDA

Mr.Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **07.12.2018**

1. The Petitioner is seeking quashing of the land acquisition proceedings culminating in the Award dated No. 41/86-86 dated 17th September, 1986 in respect of the land in Khasra No. 1242 in village Mehrauli, Delhi.

2. In the list of dates after indicating that the aforementioned Award was made it is simply stated that “1986 onwards: No compensation has ever been given to the predecessors in interest of the petitioners in terms of the award, as per the provisions contained in chapter V of the Land Acquisition Act, 1894.”

3. No attempt was made to explain the delay of nearly 30 years in approaching this Court for relief.

4. In the counter affidavit filed by LAC in para 4 & 5, it is stated as under:-

“4. That it is submitted that the lands of village Mehrauli were notified vide Notification under section 4 of the Land Acquisition Act, 1894 dated 23.1.1965 which was followed by the Notification under section 6 of the Act dated 7.12.66. The Award was also passed vide Award No. 41/86-87 and the actual vacant physical possession of the subject land falling in various khasra numbers which are subject matter of present writ petition was taken on the spot on 22.9.1986 by preparing possession proceeding on the spot and handed over to the requisition agency on the spot i.e DDA. However, there is no entry in the Naksha Muntazamin as to whether the compensation was paid or not. The petitioner has also not filed any document to show that he actually applied for release of compensation and/or he was ever aggrieved due to the alleged non-payment of compensation. The Statement -A and Payment file of Award No. 41/86-87 is presently unavailable/untraceable and a circular to trace out the same has been issued vide Circular No.F.ADM/LAC(SOUTH)/2018/121-133 dated 07.03.2018.

5. That it is submitted that the petitioners have also not made it clear before the Hon'ble Court as to whether they have ever challenged the acquisition proceedings under reference, therefore, the present writ petition is also barred by the principles of limitation and is liable to be dismissed.”

5. In view of the inordinate delay in approaching the Court for relief, the Court is not inclined to entertain this petition and the same is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

DECEMBER 07, 2018

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