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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Judgment 07th February, 2018

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W.P.(C) 10367/2015

M/S. H. K. INTERNATIONAL

..... Petitioner

Through: Mr. Daleep Dhyani, Advocate.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. J. P. Sharma, Advocate for UOI.

Mr. Pawan Mathur, Standing Counsel for
DDA.

Mr. Yeeshu Jain, Standing Counsel for
LAC/L&B with Ms. Jyoti Tyagi,
Advocate.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G. S. SISTANI, J. (ORAL)

1. The present petition relates to Khasra No. 2 Min land measuring 2 Bigha and 1 biswa situated in the revenue estate of Village Shyoor Pur, Tehsil Mehrauli, Delhi.
2. The challenge is laid to a notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') dated 25.11.1980 and a notification under Section 6 of the Act dated 20.05.1985.
3. Counter affidavit has been handed over by learned counsel for the LAC in Court today. Copy supplied to learned counsel for the petitioner. Counter affidavit is taken on record.
4. With the consent of the parties, the present writ petition is set down

for final hearing and disposal.

5. Learned counsel for the petitioner submits that in view of the stand taken by the LAC in para 5 of the counter affidavit, no further orders are required to be passed in the present writ petition.

6. Para 5 of the counter affidavit filed by the LAC, reads as under:

“That due to status quo granted in W.P.(C) 1444/86 titled as M/s. H. K. International Vs. Union of India, the land of Khasra No. 2 min was not acquired. While making award No. 10/87-88, the above mentioned Khasra No. was left out and the said land was not acquired by the said award. In this way, the present writ petition is liable to be dismissed as the acquisition proceedings for the subject land were not completed by making an award.”

7. As per para 5 of the counter affidavit, while making the Award No. 10/87-88, the Khasra number which is subject matter of the present writ petition was left out and the land was not acquired.

8. In view of the stand taken by the LAC in para 5 of the counter affidavit which has been reproduced above, counsel for the petitioner submits that the notification under Section 4 dated 25.11.1980 and notification under Section 6 dated 20.05.1985 are deemed to have lapsed and thus no further orders are required to be passed.

9. The writ petition stands disposed of in the above terms.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

FEBRUARY 07, 2018 / gr