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

+ **W.P.(C) 181/2018**

RAJESH DEVI

..... Petitioner

Through: Mr.Lalit K.Rawal, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr.Jatin Rajput with Mr.Sandeep
Kumar, Advocates for R1 & R2.
Mr.Arjun Pant, Advocate for DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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31.01.2019

1. The prayers in the petition read as under:

“It is, therefore, most respectfully prayed that this Hon'ble court be pleased to:-

a). Issue a writ of Mandamus or any other suitable writ, order or direction in the like nature thereby directing the respondents to pay suitable compensation in respect acquired land comprised of Khasra No.489, out of total land measuring 13 Bigha 04 Biswas in 1/9th share i.e. 01 Bigha 10 Biswas held by late Bhag Singh Son of Sh.Khachedu, Situated in the Revenue Estate of Village Ghonda Gujran Khadar, Shahdra, Delhi- arising out of award No.09/1973-74 in view of the provisions of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(b) To pay all benefits/alternative plots/Industrial plot/DDA flat etc. admissible under the law in view of the provisions to

Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

Pass such other and further order/direction as this Hon'ble court may deem fit and proper in the facts and circumstances of the case may also be allowed in favour of the petitioner.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 20th April 1961, followed by declaration under Section 6 of the LAA on 2nd September 1966. The impugned Award No. 9/1973-74 was passed on 5th October 1973. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in a series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India* (2018) 3 SCC 588 dismissed similar matters on account of delay and laches.

4. In that view of the matter, learned counsel for the Petitioner seeks liberty to withdraw this petition with liberty to file a fresh petition giving the proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 31, 2019/ mw