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

+ **W.P.(C) 12427/2019**

SUSHIL KUMAR

..... Petitioner

Through: Mr. Mahesh Prasad and Mr. Alok K.
Prasad and Mr. Naresh Kumar,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondent

Through: Mr. Yeeshu Jain, Advocate for R-4 &
5.
Ms. Shobhana Takiar, Advocate for
R-3/DDA.
Mr. Tanveer Ahmed Ansari,
Advocate for R-1.
Mr. Kushagra Pandey, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **25.11.2019**

C.M. No. 50789/2019 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 12427/2019 & C.M. No. 50788/2019

3. The Petitioner has preferred the present petition seeking a direction to be issued to the Respondents to pass an award in respect of notification No. F.11(17)/91-L&B/LA/6518 dated 28.04.1995 under Section 4 of the Land Acquisition Act and a subsequent declaration under Section 6 of the Act

dated 26.04.2013. The Petitioner claims that his land falling in khasra No. 301, ad measuring 1 bigha in the Revenue Estate of village Shahbad Daulatpur, Delhi has been acquired pursuant by the said notifications. The Petitioner has disclosed that he had earlier preferred W.P.(C) 8193/2018 titled as *Ashok Kumar Mudgil through its Attorney Sushil Kumar v. Union of India & Ors.*, which was disposed of by this Court on 09.08.2019. A copy of the said order has been placed on record. A perusal thereof shows that this Court had considered the claim of the Petitioner for compensation under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013 and rejected the same on the premise that the Petitioner was claiming rights over an unauthorized colony. While rejecting the said claim, this Court relied on its decision in *Mool Chand v. Union of India* 2019 SCC OnLine Del 6519.

4. In the light of the aforesaid, the Petitioner is not entitled to the relief claimed in this petition, since the said relief has specifically been considered and rejected earlier.

5. Accordingly, the petition is dismissed.

VIPIN SANGHI, J

SANJEEV NARULA, J

NOVEMBER 25, 2019

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