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

+ **W.P.(C) 261/2018**

SUNIL & ANR. Petitioners

Through: Mr. Aman Mehrotra, Advocate

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr. S.Nagarajan, Advocate for
Respondent Nos.1 & 2/LAC/L & B Deptt.

Mr. Arjun Pant, Advocate for Respondent/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **28.01.2019**

1. The prayers in the petition read as under:

“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 Garebha Ram Son of Late 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 of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act,2013.”

2. The narration in the petition reveals that the notification under Section 4

of the Land Acquisition Act, 1894 ('LAA') was issued on 24th October 1961, followed by declaration under Section 6 of the LAA on 2nd September, 1966. The impugned Award No.09/1973-74 was passed on 5th June, 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 Petitioners seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay in the Petitioners approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 28, 2019

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