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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 123/2019

M/S SHRI RAM SARVARIA AND SONS PVT. LTD. Petitioner

Through: Mr Ghanshyam Mishra and Ms
Sunaina Mishra, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr Yeeshu Jain, Standing Counsel for
LAC/L&B with Ms Jyoti Tyati,
Advocates.
Mr Tushar Sannu, ASC for EDMC.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

22.07.2019

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1. A status report has been placed on record indicating that the total compensation amount was sent to the Court of learned Additional District Judge, Delhi in the present matter on 28th December, 2013 itself. This appears to be an extract of the record available with the Respondents, copy of which has been handed over to learned counsel for the Petitioner.

2. In that view of the matter, it will be open to the Petitioner to approach the Court of learned ADJ, Delhi for grant of compensation determined in accordance with Award passed under the Land Acquisition Act, 1894, in accordance with law.

3. As far as the other relief of deemed lapsing of the land acquisition proceedings are concerned, the narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 22nd March 2006 followed by declaration under Section 6 LAA on 20th February 2007. The impugned Award No.1/2008-09 was issued on 30th April 2008. There is no explanation in the petition for the inordinate delay in approaching the Court for relief. Therefore that relief is clearly barred by laches. This Court has in a series of orders including *Mool Chand v. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions on the ground of laches.

4. The petition is disposed of in the above terms. No costs.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 22, 2019

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