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

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+ **W.P.(C) 613/2019 & CM 2844/2019**

MR HASAN AGHA AND ANR.

..... Petitioners

Through: Mr Waqar A. Khan, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Yeeshu Jain and Ms Jyoti Tyagi,
Advocates for LAC/L&B.

Mr Sanjay Kumar Pathak, Mr Sunil
Kumar Jha and Mr M.S. Akhtar,
Advocates for DMRC.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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21.01.2019

CM 2845/2019 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 613/2019 & CM 2844/2019

2. This petition relates to the acquisition of land on which an entire unauthorized colony is located.

3. Admittedly, the provisional certificate of regularization for the said unauthorized colony has been issued. Copy of the said certificate has also been enclosed with the petition.

4. Apart from the fact that the Petitioners are seeking quashing of the land acquisition proceedings in which the Award was passed way back in 1992,

which prayer is obviously barred by laches. The prayer is any way not tenable in view of the decision dated 10th January, 2018 in W.P. (C) 3623/2018 (*Akhil Sibal v. Govt. of NCT of Delhi*) and the decision dated 17th January, 2019 in (*Mool Chand v. Union of India*).

5. At this stage, learned counsel for the Petitioners, on instructions, seeks leave to withdraw the petition.

6. The writ petition is accordingly dismissed as withdrawn. The pending application is also dismissed.

7. The dismissal of the writ petition will not come in the way of the Petitioner pursuing their case for regularization of the unauthorized colony in question.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 21, 2019

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