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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1341/2019**

KULDEEP & ORS

..... Petitioners

Through: Mr. Arun Kumar Kaushik, Advocate
versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Sushil Kumar Pandey &
Ms. Neha Sharma, Advocates for Respondent/UOI
Mr. Arun Birbal, Advocate for Respondent/DDA
Mr. Yeeshu Jain & M s. Jyoti Tyagi, Advocates
for Respondent/LAC/ L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VINOD GOEL

O R D E R

% **08.02.2019**

CM Appl.no. 6106/2019 (Exemption)

1. Exemption allowed, subject to all just exceptions.

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2. The prayer in the petition read as under:

“(i) Pass a writ, order or direction in the nature of writ of declaration, thereby declaring the acquisition proceedings initiated in respect of the land of the Petitioners being 49/240 joint share in Khasra No.796/456/3 (03-09),783/407(4-14), 784/408 (03-06), 490/421 min (01-12) & 548/492/421 (02-07), total measuring 15 bighas 08 biswas, situated in the revenue estate of Village Jasola, Tehsil – Sarita Vihar, District South-East, Delhi, as deemed to have lapsed, further quashing of the impugned Award No. 21/1992-93 of village Jasola, Tehsil - Sarita Vihar, District South-East, Delhi, to the extent of the land of the petition, as deemed to have lapsed in view of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

(ii) pass any other or further order(s) which this Hon'ble Court may

deem fit and proper in the interest of justice.”

3. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 23rd June, 1989, followed by declaration under Section 6 of the LAA on 22nd June, 1990. The impugned Award No.21/1992-93 was passed on 19th June, 1992. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

4. 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 and *Indore Development Authority v. Shailendra* (2018) 3 SCC 412 dismissed similar matters on account of delay and laches.

5. 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.

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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

VINOD GOEL, J.

FEBRUARY 08, 2019
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