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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1549/2019 & CM No. 7137/2019**

ROOP CHAND & ORS.

..... Petitioners

Through: Mr. Keshav V. Hedge, Advocate.

Versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. J.K. Singh, Advocate with Mr.
Varun Bhadola and Mr. Harsh Pandit,
Advocates.

Mrs. Saumya Suman, Law Officer.

Mr. Yeeshu Jain, Advocate with Ms.
Jyoti Tyagi, Advocate for Respondent
No. 1.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

15.02.2019

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1. The Court's attention is drawn to the fact that on page 2 of the original paper-book which contains the 'Notice of Motion' where endorsements have been made to the effect that the counsel for the Respondent No. 1, and somebody on behalf of Respondent No. 2, have received copies of the petition.

2. It now transpires that an advance copy was never served upon the counsel

for Respondent No. 1. She further confirms that so-called signature of hers is in fact not her signature at all. As far as the counsel for the Respondent No. 2 is concerned, it is simply written 'R-2', which obviously cannot be the signature of the counsel.

3. This is a serious matter and Registry appears to have overlooked it placing the matter before the Court. The concerned Registrar is directed to caution the Dealing Assistants by drawing their attention to what has happened in this case. Learned counsel for the Petitioner profusely apologises for the lapse and assures the Court that his clerk, who was perhaps responsible for the lapse, will be cautioned by him to be careful in future.

4. The present petition seeks a simpliciter prayer for a declaration of deemed lapsing of land acquisition proceedings under Section 24 (2) of the 2013 Act. The prayer is misconceived since admittedly the Award No. 13/2011-2012 was passed on 12th March 2012.

5. The learned counsel for the Petitioners seeks leave to withdraw the present petition with liberty to file an appropriate petition seeking appropriate reliefs in accordance with law.

6. It is made clear that since this is the second time that a prayer for withdrawal of the petition is being made, no further indulgence will be granted if the Petitioners hereinafter file another misconceived petition.

7. The petition along with the pending application is dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 15, 2019/ss