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

+ **W.P.(C) 1033/2016**

ARVIND JAIN

..... Petitioner

Through: Mr. Sahil Gupta, Advocate with
Mr. Chitvan Singhal, Advocate.

versus

UOI AND ORS.

..... Respondents

Through: Ms. Ruchika Rathi, Advocate with
Mr. Karanjot Singh Mainee,
Advocate for L&B and LAC.
Mr. Shamim A. Khan, Advocate for
DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

% **13.03.2019**

1. Counsel for the Petitioner today contends that the land in question was covered under the Award dated 3/1998-99 but with that Award ceasing to exist after the notification under Section 6 of the Land Acquisition Act, 1894 (LAA) stood invalidated by the judgment of the Supreme Court in Civil Appeal No.2997/2012 (*Government of NCT v. Geeta Batra*), which upheld the judgment of this Court in *Geeta Batra v. Government of NCT*, the position is that it is not covered by any Award.

2. He further states that the land is also not covered by the fresh Section 6 LAA notification issued in 2017. He points out that no notice under Section

5 A LAA inviting objections as also been issued to the Petitioner. In other words, according to the Petitioner, the land in question is not the subject matter of any land acquisition proceedings as of date.

3. With that being the position, the question of granting any declaration that the land acquisition proceedings initiated in respect of the land of the Petitioner have lapsed does not arise.

4. Without expressing any opinion on the correctness of the above submissions, at the request of the counsel for the Petitioner, he is permitted to withdraw this petition with liberty to seek other appropriate remedies that may be available to the Petitioner in accordance with law. The petition is accordingly dismissed with liberty as prayed for.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MARCH 13, 2019

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