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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 495/2017**

SANJAY GOEL AND ORS Petitioners

Through: Mr. Sumit Bansal & Ms. Sumi
Anand, Advocates

versus

UOI AND ORS Respondents

Through: Mr. Brajesh Kumar, Advocate for
Respondent No.1/UOI

Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Advocates for Respondent/LAC/L & B

Mr. Arjun Pant, Advocate for Respondent/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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31.01.2019

1. The prayers in the petition read as under:

“a. pass a writ, order or direction in the nature of a writ of declaration, declaring the acquisition proceedings initiated in respect of the land of the petitioners, forming part of Khasra no. 1551 admeasuring 1 Bigha 15 Biswas (1750 sq. yards) situated in the revenue estate of village Chhattarpur, New Delhi, 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;

b. further pass a writ, order or direction in the nature of a writ of mandamus thereby directing the respondents not to interfere with the peaceful possession and enjoyment of the land, forming part of Khasra No. 1551 admeasuring 1 Bigha 15 Biswas (1750 sq. yards) situated in the revenue estate of village Chhattarpur, New Delhi; and

c. pass such other or further orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 25th November, 1980, followed by declaration under Section 6 of the LAA on 7th June, 1985. The impugned Award No.15/87-88 was passed on 5th June, 1987. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. 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* dismissed similar matters on account of delay and laches.

4. 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 a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order passed by this Court on 20th January, 2017 which stood confirmed on 11th December, 2017 is hereby vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 31, 2019

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