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

+ **W.P.(C) 368/2016**

CHAND ROOP & ORS

..... Petitioners

Through: Mr. Sukhbir Sejwal, Advocate
versus

UNION OF INDIA & ANR

..... Respondents

Through: Ms. Shobhana Takiar, Advocate for
R-DDA.
Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for LAC/L&B.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **17.01.2019**

1. The prayers in this petition read as under:

“It is, therefore, respectfully prayed that this Hon Court may be pleased to issue a writ / order / direction in the nature of certiorari calling for the records of the acquisition proceedings with respect to the lands comprised in khasra no. 528 (11-07), 261(6-16), 277(5-03), 66(12-14), 77(5-07) 280(1-05), 149(3-02), 525(5-08) total measuring 51 bigha and 02 biswas situated in the revenue estate of Village Lado Sarai, Tehsil- Huaz Khas, New Delhi and further to pass appropriate writ, order or directions declaring the acquisition proceedings to have lapsed and have become inoperative under sec.24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013 as no compensation with respect to lands have been paid to the predecessor of the petitioner and to the petitioners.

OR

Further to pass appropriate writ, order or direction, directing the respondents to return/ handover the actual physical possession of nutilized and vacant land of the petitioners to the petitioners as per their share.

OR

In the alternative direct the respondent No.1 to acquire the afresh under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation Act, 2013 and further to pay compensation to the petitioners under the aforesaid Act.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 13th November 1959 and a declaration under Section 6 was issued on 16th May 1966. The Award was passed way back on 19th June 1980. No explanation has been offered 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. Learned Counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition properly explaining the inordinate delay in approaching the Court for relief.
5. The petition is dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 17, 2019

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