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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 811/2018**

SHISHPAL

..... Petitioner

Through: Mr Vijay Kasana, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for
L&B/LAC.

Mr.Pawan Mathur, Standing Counsel
for DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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27.03.2019

1. The prayers in the petition read as under:

- “A) Issue a writ of the Mandamus thereby quashing the acquisition of Khasra No. 2612/735-36 to an extent of land admeasuring 4 bighas 3 Biswas situated in the revenue estate of Village: Tuglakabad, District: South-East, New Delhi acquired vide Award no. 66/86-87;
- B) Issue aWrit of Declaration thereby declaring that the acquisition in respect of Khasra No. 2612/735-36 to an extent of land admeasuring 4 bighas 3 Biswas situated in the revenue estate of Village: Tuglakabad, District: South-East, New Delhi acquired vide Award no. 66/86-87 belonging to petitioner, has lapsed by virtue of section 24(2) of right to fair compensation and transparency in land acquisition, rehabilitation and resettlement act, 2013.
- (C) Pass any other such order as may be deemed fit in the facts and circumstances of the present case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 10th November 1960, followed by declaration under Section 6 LAA on 4th January, 1969. The impugned Award No.66/1986-87 was passed on 16th September 1986. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in the series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissed matters on account of delay and laches.

4. The above decision has also been followed by this Court in several orders including *Mool Chand v. Union of India 2019 (173) DRJ 595 DB* and similar petitions have been dismissed on the ground of 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 The petition is dismissed as withdrawn with liberty prayed for.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.

I.S. MEHTA, J.

MARCH 27, 2019

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