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

+ **W.P.(C) 4411/2019**

MS. MEHAR SULTAN AND ANR. Petitioners

Through: Mr. Bahar U. Barqi, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS. Respondent

Through: Mr. Yeeshu Jain with Ms. Jyoti
Tyagi, Advocates for LAC.
Mr. Arjun Pant, Advocate for DDA.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER
26.04.2019

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C.M. APPL. 19637/2019

1. Allowed, subject to just exceptions.

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2. The prayers in the petition read as under:

a) Pass appropriate Writ, Order and/or directions in the nature of certiorari quashing the proceedings resulted into manufactured Award No. 14/1992-93 in respect of the plot/properties of the Petitioners and also quash all the proceedings conducted by the Respondents under the Land Acquisition Act, 1894;

(b) Pass appropriate Writ, order and/or directions in the nature mandamus for grant of compensation under the New Act, to the Petitioners;

3. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 23rd June 1989 followed by declaration under Section 6 of the LAA on 22nd June 1990. The impugned Award No.14/1992-93 was passed way back in 1993. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

4 This Court has in the series of orders including *Mool Chandv. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions 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 The petition is dismissed as withdrawn with liberty prayed for.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.

APRIL 26, 2019

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