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

+ **W.P.(C) 607/2015**

SANJAY GUPTA

..... Petitioner

Through: Mr. Rajesh Gupta, Advocate with Mr.
Harpreet Singh and Mr. Pranjal Saran,
Advocates.

versus

UOI & ORS.

..... Respondent

Through: Mr. Amit Acharya, Advocate with
Mr. Sanjib Kumar Mohanty, Senior
Panel Central Govt. Counsel for UOI.
Mr. Siddharth Panda, Advocate for
LAC/L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **17.01.2019**

1. Learned counsel for the Petitioner relies on an order dated 11th July, 2017 passed by the Division Bench of this Court in Writ Petition (Civil) No. 2587/2015 (*Sudhir Kumar Yadav v. The Lt. Governor, Government of NCT of Delhi & Ors*) where in another parcel of land covered by the same Award dated 24th April, 1998 in the same Kharsa numbers, a declaration of deemed lapsing of the land acquisition proceedings has been issued.

2. Learned counsel for the Respondents informs the Court that they are proposing to file a Special Leave Petition against the above order as sanction

for the same has been received from the competent authority.

3. Be that as it may, this is a petition seeking lapsing of the land acquisition proceedings which culminated in the above Award No.1/98-99 in respect of 1 *bigha* and 1.5 *biswas* of land comprised in Khasra Nos. 299(5-05), 300(8-12), 305(8-13) and 306(3-10) pursuant to the Section 4 notification under the Land Acquisition Act, 1894 (LAA) which was issued on 28th April, 1995 followed by declaration under Section 6 LAA on 26th April, 1996. There is no attempt made in the petition to explain the inordinate delay in approaching the Court.

4. The Supreme Court, in ***Mahavir v. Union of India*** (supra), observed as under:

“23. In the instant case, the claim has been made not only belatedly, but neither the petitioners nor their previous three generations had ever approached any of the authorities in writing for claiming compensation. No representation had ever been filed with any authority, none has been annexed and there is no averment made in the petition that any such representation had ever been filed. The claim appears not only stale and dead but extremely clouded. This we are mentioning as additional reasons, as such claims not only suffer from delay and laches but courts are not supposed to entertain such claims. Besides such claims become doubtful, cannot be received for consideration being barred due to delay and laches.

24. The High Court has rightly observed that such claims cannot be permitted to be raised in the court, and cannot be adjudicated as they are barred. The High Court has rightly observed that such claims cannot be a subject matter of inquiry after the lapse of a reasonable period of time and beneficial provisions of Section 24 of the 2013 Act are not available to such incumbents. In our

opinion, Section 24 cannot revive those claims that are dead and stale.”

5. Following the above judgment, this Court has in W.P.(C) No.2734/2015 dated 10th December 2018 (***Devender Singh v The Hon’ble Lt. Governor***), W.P.(C) No.1380/2016 dated 17th December 2018 (***Bhule Ram v Union of India***), W.P.(C) No.5647/2016 dated 21st December 2018 (***Ram Devi v NCT of Delhi***), and in W.P.(C) No.6287/2014 dated 19th December 2018 (***Kartar Singh v Union of India***), rejected petitions seeking similar reliefs on the ground of laches.

6. For the aforementioned reasons, the writ petition is dismissed on the grounds of both laches and merits. The interim order dated 20th January 2015 as confirmed on 5th March 2018 is hereby vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 17, 2019

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