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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 660/2017

SURENDER KUMAR

..... Petitioner

Through: Mr Sumit Bansal and Mr Prateek
Kohli, Advocates.

versus

UOI AND ORS

..... Respondent

Through: Mr Yeeshu Jain and Ms Jyoti Tyagi,
Advocates for L&B/LAC.
Mr Jitendra Kr. Tripathi, Mr Vipul
Agrawal and Mr Anshuman Nayak,
Advocates for UOI.
Mr Arjun Pant, Advocate for DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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18.01.2019

1. The prayer 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 petitioner, forming part of Khasra No. 774/494 admeasuring 3 Bighas 13 Biswas situated in the Revenue Estate of Village Chirag Delhi, 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.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 16th February 1988, followed by declaration under Section 6 LAA on 26th February, 1988. The

impugned Award No. 30/89-90 was passed on 23rd February 1990. 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 the proper explanation for the inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 18, 2019
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