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

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+ **W.P.(C) 711/2017**

SHAKEEL AHMED & ORS. Petitioners

Through: Mr Ankit Sharma, Advocate.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr Yeeshu Jain and Ms Jyoti Tyagi,
Advocates for LAC/L&B.

Mr Pawan Mathur, Advocate for
DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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06.02.2019

1. The prayers in the petition read as under:

It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to issue a writ/order/direction in the nature of certiorari calling for the record of the acquisition proceedings with respect to the lands comprised in Khasra nos. 342 (3-2) and 345 (4-16) total measuring 7 Bighas 18 Biswas situated in the revenue estates of village Pul Pehlad Pur, New Delhi, acquired vide Award No. 63/82-83 of the petitioners 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 in respect of the acquired land have been paid to the petitioners and their predecessors.

This Hon'ble Court may pass such other and further order as it deems fit and proper under the facts and circumstances of the case..”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 23rd October, 1965, followed by declaration under Section 6 LAA on 31st January, 1983. The impugned Award No.63/1982-83 was passed on 31st January, 1983. 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 a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order dated 27th January 2017, as confirmed on 15th December 2017 is hereby vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 06, 2019

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