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

+ **W.P.(C) 7900/2019 and CM APPL. 32749/2019**

AMIT GOEL Petitioner

Through: Mr.J.K.Jain, Advocate.

versus

UNION OF INDIA AND ANR. Respondents

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

+ **W.P.(C) 7904/2019 and CM APPL. 32755/2019**

RENU GOEL Petitioner

Through: Mr.J.K.Jain, Advocate.

versus

UNION OF INDIA AND ANR. Respondents

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

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

ORDER
% **23.07.2019**

1. The prayers in the present petitions, being identical, 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 thereby quashing the notification issued under Section 4 of Land Acquisition Act, 1894 No. F.9(12)/95/LA/9743 dated 27.6.1996 and declaration under Section 6 of the said Act No.F.9(12)L&B/LA/PT/3062 dated 4.7.2017 as also the entire acquisition proceedings qua the land of the petitioner comprised in khasra No. 1289 and 1290 measuring 1 bigha 02 biswas situated in the revenue estate of village Malikpur Kohi @ Rangpuri, Delhi as also the writ of prohibition thereby directing the respondents not to acquire the land of the petitioner, as aforesaid, under Section 4 of the Land Acquisition Act, 1894, dated 27.6.1996.

Award cost of proceedings to the humble petitioner.”

2. It is sought to be contended by the two Petitioners that they are owners of the lands described hereinabove (hereafter ‘subject land’) by virtue of registered sale deeds dated 1st May 1981. It must be mentioned here that although the sale deeds, copies of which have been enclosed with the petitions, do not appear to be registered, counsel for the Petitioners insisted that he has in his possession the registered sale deeds.

3. Learned counsel appearing for the LAC on advance notice drew the attention of the Court to an order dated 16th April 2019 in WP(C) 8915 of 2016 (*Yash Kumar Verma and Anr. v. Union of India and Ors.*) where a declaration was sought in terms of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 ('2013 Act') in respect of the same land in village Malikpur Kohi @ Rangpuri, Delhi and which pertains to these very Khasra Nos.1289 (2-19) and 1290 (6-15). This Court negated the said challenge by an order dated 16th April 2019. Para 10 of the said order specifically refers to these very Khasra numbers as mentioned above.

4. Counsel for the Petitioners, however, contended that the present Petitioners were not aware of the said order dated 16th April 2019 and in any event were not part of the WP(C) 1589 of 2016. The point urged by him is that in terms of Section 24(1)(a) of the 2013 Act, since no Award has been passed within 2 years of the declaration dated 4th July 2017 under Section 6 Land Acquisition Act, 1894 ('LAA'), the land acquisition proceedings should be declared to have lapsed.

5. In respect of lands located in village Malikpur Kohi @ Rangpuri, Delhi, this Court has in the judgment in ***Shivi Talwar v. Govt. of NCT of Delhi 2019 (174) DRJ 390 (DB)***, delivered on 8th March 2019, negated the challenge to the same declaration dated 4th July 2017 under Section 6 LAA and has vacated the interim orders that were passed in the various writ petitions in that batch of matters. Many of the writ petitions raised a challenge similar to the one raised in the present petition as far as the validity of the earlier notifications dated 27th June 1996 under Section 4 LAA and 4th July 2017 under Section 6 LAA are concerned. The Court, therefore, holds that the said decision would cover the present case as well. Consequently, the challenge by the present Petitioners to the said notifications fails.

6. As far as the point urged by the Petitioners with reference to Section 24(1)(a) of the 2013 Act, with the interim orders having been vacated by this Court only on 8th March 2019, the process of dealing with the objections and passing an Award are still said to be underway.

7. It is therefore not possible to accept the plea of the Petitioners that on account of the failure to pass an Award within 2 years from 6th July 2017 in terms of Section 11A of the LAA the entire land acquisition proceedings is deemed to have lapsed.

8. The writ petitions are accordingly dismissed. The pending applications are also disposed of.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 23, 2019

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