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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1005/2018**

NAIN SINGH AND ORS Petitioners

Through: Mr. Arun Kumar, Advocate.
versus

UOI AND ORS Respondents

Through: Mr. Joginder Sukhija, Advocate for
UOI.
Mr. Sachin Nawani, Advocate for R-
1, R-3 and R-4.
Ms. Sangita Rai, Advocate with Mr.
Pradeep Singh Tomar, Advocate.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
25.01.2019

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1. The prayer in this petition reads as under:

“a. Pass a writ, order or direction in the nature of writ of declaration, thereby declaring the acquisition proceedings initiated in respect of the land of the petitioners with respect to their land i.e. 1/6 joint share in Khasra No. 252/1(2-0), 253(2-6), 254(3-14), 258/1(2-16), 257(4-18), 259(1-10), 260(2-8), 262(2-0), 312(2-12) and 313(2-2). Total measuring 26 Bighas 6 Biswas, situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, 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 and further issue order or direction quashing the impugned Award No. 205/1986-87 of Village Kotla Mahigram, to the extent of their respective share, thereby the aforesaid land belonging to the petitioners or their predecessor in interest was acquired.

b. Further pass a writ, order or direction in the nature of a writ of mandamus thereby directing the respondents not to interfere with the peaceful possession and enjoyment of the land of the petitioners 1/6 joint share in Khasra 252/1(2-0), 253(2-6), 254(3-14), 258/1(2-16), 257(4-18), 259(1-10), 260(2-8), 262(2-0), 312(2-12) and 313(2-2) total measuring 26 Bighas 6 Biswas, situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, Delhi;

c. Pass any other and further order as this Hon'ble Court may seem fit, just and proper in the present facts and circumstances of the case.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 6th April 1964 and a declaration under Section 6 was issued on 7th December 1966. The impugned Award No. 205 was passed way back in 1986-87. There is no explanation in the petition for the inordinate delay in approaching this Court for relief.

3. Learned Counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition properly explaining the inordinate delay in approaching the Court for relief.

4. Dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 25, 2019/ss