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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1318/2018**

RAM KISHAN AND ORS. Petitioners
Through: Mr. Parveen Kumar, Advocate

versus

THE GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI AND ORS. Respondents
Through: None

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

% **ORDER**
20.08.2019

1. The prayers in the petition read as under:

"(I) Declare the acquisition proceedings [ANNEXURE P-1] vide award No. 19/75-70 under Land Acquisition Act, 1894 and subsequent acquisition proceedings by the Delhi Cantonment Board qua property measuring appx. Seventy seven sq. yards in Khasra No. 960 lapsed .

(II) Declare the petitioner's property measuring appx. Seventy seven sq. yards ANNEXURE P-2] in Khasra No. 960 as private property."

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 24th October, 1961, followed by declaration under Section 6 LAA on 7th December, 1966. The impugned Award No.19/75-76 was passed in 1976. 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 including *Mool Chand v. Union of India* 2019(173) DRJ 595[DB] followed the judgment of the Supreme Court in *Indore Development Authority v. Shailendra* (2018) 3 SCC 412 and dismissed similar petitions on the ground of laches.

4. In that view of the matter, learned counsel for the Petitioners seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for the inordinate delay in the Petitioners approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The points urged in the counter affidavit filed by the DDA are left open to be raised at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

AUGUST 20, 2019/rhc