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

+ **W.P.(C) 1383/2016**

JAYANTI MALA AND ORS.

..... Petitioners

Through: Mr.Anuroop P.S., Advocate.

versus

LAND ACQUISITION COLLECTOR (NORTH) AND ANR.

..... Respondents

Through: Ms.Niharika Ahluwalia with  
Ms.Anantika Singh, Advocates for  
DDA.  
Mr.Yeeshu Jain, Standing Counsel  
with Ms. Jyoti Tyagi, Advocate for  
L&B /LAC.

**CORAM:**

**JUSTICE S.MURALIDHAR**

**JUSTICE SANJEEV NARULA**

**ORDER**

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**07.01.2019**

1. The following prayers have been made in the present writ petition:

“It is, therefore, respectfully prayed that this Hon Court may be pleased to issue a writ / order / direction in the nature of certiorari calling for the records of the acquisition proceedings with respect to" the lands comprised in Khasra Nos. 355 (6-06) and Khasra No.358 (8-00) situated in the revenue estate of village Dhirpur, Delhi acquired vide Award No.77/83-84 pronounced on 16.12.1983 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 neither possession of the lands of the petitioner have been taken nor compensation with respect to lands have been paid..  
Award cost of proceedings to the humble petitioner.

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

2. In the counter-affidavit filed by the LAC, it is stated in paras 4 and 5 as under:

“4. That the present writ petition is liable to be dismissed as none of the petitioners have appeared to have ever challenged the acquisition proceedings under reference nor any title document has been placed on record as the revenue records shows the subject land of khasra number 355/1(6-06), 358/2(8-00) in the name of Gaon Sabha.

5. That it is submitted that the lands of village DhirPur were notified vide Notification under section 4 of the Land Acquisition Act, 1894 dated 19.03.1981 which was followed by the Notification under section 6 and 17(1) of the Act dated 19.03.1981. The Award was also passed vide Award No. 77/83-84 dated 16.12.1983. The actual vacant physical possession of the subject land falling in Idiasra number 355(6-06), 358(8-00) was duly taken on the spot on 15.09.1981 and was handed over to the requisition agency on Liie spot by preparing possession proceedings and as per statement 'A' the compensation was sent to the R D.”

3. There is no rejoinder filed to the above counter-affidavit despite it being filed way back on 13<sup>th</sup> July 2018.

4. The writ petition is accordingly dismissed.

**S. MURALIDHAR, J.**

**SANJEEV NARULA, J.**

**JANUARY 07, 2019/ tr**