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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1653/2016**

BIJENDER SINGH & ORS Petitioners

Through: Mr. N. Prabhakar, Advocate.

versus

LIEUTENANT GOVERNOR OF DELHI AND 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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09.01.2019

1. The prayers in the present petition read as under:

“a. Issue a writ in the nature of certiorari/declaratory writ quashing the acquisition proceedings culminating in the award number 164/86-87 dated 19.09.1986 under the erstwhile Land Acquisition Act 1894 with respect to the agricultural land measuring 24 Bighas 8 Biswas (out of the total 28 Bighas and 16 Biswas originally belonging to the predecessor in interest of the petitioners) falling in the khasra numbers 15/17 (02 Bighas and 09 Biswas), 15/23 (04 Bighas and 16 Biswas), 15/24 (04 Bighas and 16 Biswas), 15/24/4 (04 Bighas and 13 Biswas), 30/16 and 30/17/01 (undivided 01 Bigha and 09 Biswas), 30/25 (01 Bigha and 16 Biswas), 30/27 (0-05 Biswas), 37/4/2 (01 Bigha and 16 Biswas), 37/5/1 (02 Bighas and 08 Biswas) in the village Matiala, Tehsil Rampura, New Delhi and declaring the acquisition of the aforesaid land as having lapsed in terms of the section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition (Rehabilitation and Resettlement) Act 2013;

b. And issue a writ in the nature of mandamus to the respondents to issue a fresh notification for acquisition of the aforesaid land barring 7 Bigha and 02 Biswas falling in the khasra numbers

15/17, 15/24 and 24/4 already in possession of the petitioners in accordance with the provisions contained in the Right to Fair Compensation and Transparency in Land Acquisition (Rehabilitation and Resettlement) Act 2013 and awarding compensation in terms thereof;

c. Or in the alternative, issue a writ of mandamus/in the nature of mandamus or any suitable directions to restore the actual physical possession of the land as described in the prayer clause 'a' above in favour of the petitioners after deducting land measuring 07 Bighas and 02 Biswas falling in the khasra numbers 15/17, 15/24 in possession of the petitioners;

d. pass any other order/suitable directions as this Honourable court deems just and appropriate.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 27th January 1984 and declaration under Section 6 LAA was issued on 24th September 1984. The Award was passed way back on 19th September 1986.

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

4. Dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 09, 2019/nk