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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1277/2017

MAHENDER KUMAR SHARMA & ORS.

..... Petitioners

Through: Mr Sanjay K. Goel, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr Sanjay Kumar Pathak, Ms K. K.
Kiran Pathak and Mr Sunil Kumar
Jha, Advocates for LAC/L&B.
Mr Pawan Mathur, Advocate for
DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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06.02.2019

1. The prayers in the petition read as under:

- a. Issue a writ of Mandamus or any other Direction[s] or order [s] in nature thereof thereby lapse the acquisition proceedings of land falls in Khasra No. No. 382 [2-09], situated in the revenue estate of Village Mehrauli, District-South, New Delhi measuring area 2 Bigha and 09 Biswa, which have been acquired vide award no. 75/1983-84; situated in the revenue estate of Village-Mehrauli, New Delhi.
- b. Issue any other or further order[s] as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”

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 24th January, 1969. The impugned Award No. 75/1983-84 was passed on 24th January, 1969. 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 following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissed similar matters on account of delay and laches.

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

5. The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order dated 13th March 2018 is hereby vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 06, 2019

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