

\$~61

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

+ W.P.(C) 4563/2018 & CM APPL. 17706/2018

JAGADISH

..... Petitioner

Through: Mr. Anwar Ali Khan and
Mr. Nizammuddin, Advocates.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates for DDA.
Ms. Ruchika Rathi and Ms.
Subhalaxmi Sen, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

04.09.2019

1. The Petitioner has preferred the writ petition with the following prayer:

“It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to issue a Writ in the nature of MANDAMUS and or any other appropriate order or direction of like nature directing the Respondents forthwith to release the land bearing Khasra no. 67, Area admeasuring 4 bigha 16 biswas situated in the revenue estate Neb Sarai, New Delhi and quash the award qua the land acquired vide award no 12/1987-88, dated 20.05.1987, and notification area through under section 4 of land acquisition Act. To direct them to pay the compensation at current market rate. Any other Order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case may also be passed in favour of the Petitioner and against the Respondents.”

2. We find that the petition is highly delayed in as much as the acquisition was not challenged by the Petitioner for decades and only after coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 the Petitioner is seeking a declaration that the acquisition has lapsed. Counsel for the Petitioner on instructions seeks leave to withdraw the writ petition with liberty to file the same along with the explanation for delay.

3. Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

SEPTEMBER 04, 2019

nk