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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1730/2017**

ADITYA FARMS & NURSERY Petitioner

Through: Mr. Udaibir Singh Kochar, Advocate

Versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Nirvikar Verma, Senior Panel Counsel
for UOI

Mr. Siddharth Panda for Respondent/LAC/L
& B Deptt.

Ms. Mrinalini Sen with Ms. Niharika
Chaudhary for Respondent/DDA

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VINOD GOEL

ORDER
08.02.2019

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1. The prayers in the petition read as under:

“(a) pass a writ, order or direction in the nature of a writ of declaration, declaring the acquisition proceedings initiated in respect of the land of the Petitioner admeasuring 13 Bighas 9 Biswas and 4 Biswansi in Khasra No. 916/1 (3-17-4), 1067 (4-16) and 1068 (4-16), situated in the revenue estate of Village Satbari, New Delhi, as deemed to have lapsed in view of the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

(B) further pass a writ, order or direction in the nature of a writ of mandamus thereby directing the respondents not to interfere with the peaceful possession and enjoyment of land admeasuring 13 Bighas 9 Biswas and 4 Biswansi in Khasra No. 916/1 (3-17-4), 1067 (4-16) and 1068 (4-16), situated in the revenue estate of Village Satbari, New Delhi; and

(c) pass such other or further orders as this Hon'ble Court may deem fit and

proper in the circumstances of the case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 25th November 1980 followed by declaration under Section 6 of the LAA on 27th May 1985. The impugned Award No.14/1987-88 was passed on 26th May 1987. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in the series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissed matters on account of delay and laches. The above observations have been followed by this Court in several cases orders including the order dated 17th January, 2019 in WP(C) No. 4528/2015 (*Mool Chand v. Union of India*) and other similar petitions which have been dismissed on the ground of 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 as prayed for.

S. MURALIDHAR, J.

VINOD GOEL, J.

FEBRUARY 8, 2019

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