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

+ **W.P.(C) 2838/2018**

VIJENDER KUMAR

..... Petitioner

Through: Mr.Lalit Kumar Rawal, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr.Sumit Chander & Mr.Jatin
Choudhary, Advocates for R1&R2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **17.01.2019**

1. The prayer in the petition reads as under:

“a) Issue a writ of Mandamus or any other suitable writ, order or direction in the like nature thereby directing the respondents to pay suitable compensation in respect of the agricultural land of the petitioner is entitled to 1/12 share , in the comprised Khasra No. 134/1 total land measuring (00-14) (i.e. 59 Sq.yds. Petitioner share) Situated in the Revenue Estate of Village Moujpur , Shahdra, Delhi-, -arising out of award No.30/1973-74 dated 04/11/1973 in view of the provisions of Section 24(2) of Right to Fair Compensation and Transparency iin Land Acquisition, Rehabilitation and Resettlement Act,2013.

(b) To pay all benefits/alternative plots/Industrial DA flat etc. admissible under the law in view of the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.”

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 17th November 1967. The impugned Award No.30/1973-74 was passed on 4th November 1973. There is no explanation for the inordinate delay in the Petitioner seeking 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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 17, 2019

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