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

+ **W.P.(C) 2968/2018**

SHYAM SINGH

..... Petitioner

Through Mr. Lalit Kumar Rawal, Advocate

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through Mr. Roshan Lal Goel & Ms. Anju

Gupta, Advocates for Respondent/UOI

Mr. Yeeshu Jain with Ms. Jyoti Tyagi, Advocates
for Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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17.01.2019

1. The prayers in the petition read 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 commercial compensation in respect agricultural land the petitioner land comprised Khasra No. letc./121/1 total land measuring 05 Bigha 14 Biswas in petitioner entitled 1/9 share (i.e. 13 Biswas & 650 sy.yds. of the petitioner) Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi-arising out of award No.1166 dated 11/07/1961 in view of the provisions of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,2013.

b) To pay all benefits/alternative plots/Industrial plot/DDA 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.

c) Any other and further relief which this Hon'ble court may deem fit and proper under the circumstances of the case may also be allowed in favour of the Petitioner.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 16th March 1961. Subsequent to declaration under Section 6 LAA, the impugned Award No.1166 was passed on 11th June 1961. 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 the 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 The petition is dismissed as withdrawn with liberty prayed for.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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