

\$~49

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

+ **W.P.(C) 3720/2018**

BIR SINGH

..... Petitioner

Through: Mr. Lalit Kumar Rawal, Mr. Aman
Mehrotra & Mr. Prabhu Giri, Advocates

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Advocates for Respondent/LAC/L & B
Mr. Roshan Lal Goel & Ms. Anju Gupta,
Advocates for Respondent No.3/UOI

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER
30.01.2019

%

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. 1 etc/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 Zlauddinpur, 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.”

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 , followed by declaration under Section 6 of the LAA on 16th March, 1961. The impugned Award No.1166 was passed on 11th July, 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 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 The petition is dismissed as withdrawn with liberty prayed for.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 30, 2019

mw