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

+ **W.P.(C) 2837/2018**

SUDHIR KUMAR

..... Petitioner

Through: Mr.Lalit Kumar Rawal, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr.Roshan Lal Goel with Ms.Anju
Gupta, Advocates for DDA.

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 compensation in respect of acquired land of bearing Khasra No.1 etc./94/2 min (06-18) , letc./128 (01-02), 1 etc./141min (01-18) total land measuring 09 Bigha 19 Biswas. The petitioner is having 1/6th share i.e. 01 Bigha 13 biswas Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi- arising out of Award No.1954 dated 24/10/1967. 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 24th October 1961, followed by declaration under Section 6 LAA on 1st August 1966. The impugned Award No.1954 was passed on 27th February 1967. 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 The petition is dismissed as withdrawn with liberty prayed for.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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