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

+ **W.P.(C) 4801/2018**

ADARSH KUMAR HANDA

..... Petitioner

Through: **Mr.Adarsh Kumar Handa, Advocate**

versus

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ANR.**

..... Respondents

Through: **Ms.Ruchika Rath, Ms.SHikha and
Mr.Raghav, Advocates for respondent
–GNCTD**

**Mr.Arjun Mahajan and Mr.Pulkit
Thareja, Advocates for respondent -
DDA**

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 11.12.2019

1. The present petition has been preferred by the petitioner to seek following reliefs:-

“(A) To condone the delay in filing this petition because the father of the Petitioner or Petitioner not given any notice or information about the acquisition of his land. Up to 22 June 2011 the office of the Land Acquisition Commissioner LAC) was not having any written procedure available by which one can apply for compensation against the land which has been acquired. This information was given by Public Information Officer of LAC to the Central Information Commissioner against the RTI Application by the Petitioner in File No. CIC/SG/A/2011/001068/13015. The Circumstances as such were beyond the control of the Petitioner (Annexure-17)

(B) Order for the Listing of the writ petition in the category of Senior Citizens for its expeditious conclusion: and

(C) The Respondent be directed that under Section 24(2) of the 2013 Act, the acquisition proceeding initiated under the Act, 1894 in respect of the land in Khasra Nos. 243 & 244 measuring 200+200 (400 Sq. Yds.) in Plot No. 314-A & 315-A in village Gharonda Neem Ka Bangar, Delhi, should be deemed to have lapsed and the land should be acquired afresh and compensation and other benefits be given to the Petitioner as per the provisions of the Act 2013, with in a period of one months.

(D) The Respondents be directed with time bound instructions to guide & help the Petitioner about the formalities required to be completed to get the compensation against the land in question.

(E) Decision of Central Information Commission in File No. CIC/SA/A/2016/ 001784-ya be quashed and direction issued to the Respondents to arrange to provide the information sought after by the Petitioner in the Application in the aforementioned File No. or taken action as per the provisions in the RTI Act 2005 and as per the provisions under Section 9 read with Section 8(1) of Public Records Act, 1993.

(F) Allow Rs 50,000/- as the costs of the petition to the Petitioner.

(G) Grant Rs 2,00,000/- for mental harassment to the Petitioner and/ or any further relief or reliefs, as the case may be, as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The acquisition of land in question was notified under Section 4 of the Land Acquisition Act, 1894 on 30th November, 1959. On 20th June, 1966, the notification under Section 6 of the Act was issued. Eventually, the award was made on 31st March, 1977.

3. The petitioner has preferred this petition only in the year 2018. Evidently, the same is highly belated and is clearly barred by laches. On this short ground, this petition is liable to be dismissed.

4. The petitioner is present in person and submits that his name was not shown in the Award. He had also made a representation in the year 2010 against which no action was taken. The grievance of the petitioner arose when the award was made which did not contain his name. It was for petitioner to agitate its claim within reasonable time. The representations made by the petitioner do not provide a sufficient justification for the highly belated approach to this Court. The concept of delay and laches takes into account the fact that party impleaded as respondent cannot be put to disadvantage of having to answer a claim which is decades old and the respondents may not even have the record to the able to effectively counter petitioner's claim.

5. We are therefore, not inclined to entertain this petition. Accordingly, this petition is dismissed.

VIPIN SANGHI, J

REKHA PALLI, J

DECEMBER 11, 2019

v