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

+ **W.P.(C) 3705/2018**

SHADI RAM SHARMA Petitioner

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

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

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

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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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 compensation in respect of acquired land of bearing No.1 /76 (03-01), 1/27/2 (00-04), 1/112 (00-03), 1/69 (06-04), 1/70 (03-18), 1 etc.27/3 (06-00) total land measuring 12 Bigha the petitioner is having entitled 1/12th share i.e. 01 Bigha 16 Biswas] (1800 sq.yds.) , Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi- arising out of Award No.1954 dated; 27/02/1967. 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 1st August, 1966, followed by declaration under Section 6 of the LAA on 26th March, 1958. The impugned Award No.1954 was passed on 27th February 1967. 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 The petition is dismissed as withdrawn with liberty prayed for.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