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

+ **W.P.(C) 4330/2018 & CM APPL. 33491/2019**

KHAZAN SINGH

..... Petitioner

Through: Mr. Arun Kumar, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for LAC/L&B.
Ms. Mrinalini Sen and Mr. Tanmjay
Mehta, Advocates for DDA.
Mr. Chiranjeev Kumar, Advocate for
R-1.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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04.09.2019

1. The Petitioner has preferred the writ petition with the following prayer:

“a. Pass a writ, order or direction in the nature of writ of declaration, thereby declaring the acquisition proceedings initiated in respect of the land of the petitioner with respect to his land i.e. 5/128 share in Khasra No. 222 (00-05), situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, Delhi, as deemed to have lapsed in view of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and further issue order or direction quashing the impugned award No. 205/1986-87 of Village Kotla Mahigram, Delhi, to the extent of the aforesaid land belonging to the petitioner or his predecessor in interest was acquired, in the interest of justice, equity;

b. Further pass a writ (s), order(s) or direction(s) in the nature of a writ of mandamus thereby directing the respondents not to interfere with the peaceful possession and enjoyment of the land being 5/128 share in Khasra No. 222 (00-05), situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, Delhi, to the extent of the aforesaid land of the petitioner, in the interest of justice;

c. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. We find that the petition is highly delayed in as much as the acquisition was not challenged by the Petitioner for decades and only after coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 the Petitioner is seeking a declaration that the acquisition has lapsed. Counsel for the Petitioner on instructions seeks leave to withdraw the writ petition with liberty to file the same along with the explanation for delay.

3. Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

SEPTEMBER 04, 2019

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