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

+ W.P.(C) 4929/2018

GAYATRI AND ANR.

..... Petitioners

Through: Mr. Ghanshayam Mishra with Ms.
Sunaina Mishra and Mr. Rajesh
Mishra, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Sumit Chander with Mr. Gurdeep
Chauhan and Mr. Gurdeep Chauhan,
Advs. for R-1 & R-2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

12.09.2019

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The present petitioner has been filed seeking the following reliefs:

“a) Issue a Writ, order or declaration declaring entire acquisition proceedings i.e. Section 4 notification/ a declaration dated 13.11.1959, section 6 a declaration/ notification dated 14.06.1966 and award No.54-A of 1969-70 dated 15.01.1971 in respect of 1/2 share (about 3700 Sq. Yds.) of the Petitioners in the land falling in Khasra No.529 further bifurcated into 5059/529/1 admeasuring 5 Bighas 4 Biswas and land falling in Khasra No.529 further bifurcated into 5060/529/2 ad-measuring 2 Bighas 3 Biswas, totaling 7 Bighas and 7 Biswas, situated in the Revenue Estate of Village Karkardooma, Delhi have lapsed in view of sub-section 2 of the section 24 of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013"; and

b) issue a Writ of Mandamus directing the Respondents not to in any manner whatsoever; interfere with the peaceful enjoyment and possession of the said lands presently in possession and occupation of the Petitioners; and

c) pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

Counter-affidavit has been filed on behalf of respondent Nos. 1 and 2.

Considering the fact that the acquisition proceedings in the present case were initiated on 13.11.1959 with the issuance of the notification under Section 4 of the Land Acquisition Act and the declaration under Section 6 of the said Act issued on 14.06.1966 and the award was rendered on 15.01.1971, whereas the present petition has been filed only in April, 2018 by seeking to enforce the right under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, counsel for the petitioner seeks leave to withdraw the present writ petition with liberty to file afresh to explain the immense delay and latches.

Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

SEPTEMBER 12, 2019

N.Khanna