

\$~

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

54

+ **W.P.(C) 4662/2018**

SMT. NEEL KAMAL SIDHU AND ANR.

..... Petitioners

Through: Mr Abhimanyu S. Khatri, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Yeeshu Jain, Standing Counsel for
LAC/L&B with Ms Jyoti Tyagi,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

%

22.07.2019

1. The prayers in the petition read as under:

“a) issue appropriate writ or any other order or direction in the nature of certiorari thereby quashing the award no.01/1998-1999 and all other subsequent proceedings, in respect of land of the petitioners falling in Khasra no.48/2min admeasuring 1 Bigha, situated in village Shahbad Daulatpur, Delhi.

b) writ order or direction declaring the entire acquisition proceedings to be lapsed in view of section 24(2).

c) writ, order or direction in the nature of prohibition thereby restraining the respondent, their officers, agents or representatives or anybody claiming through them, from interfering in the peaceful possession and enjoyment of the land in question and also restrain them from taking forceful actual physical possession of petitioners land in any manner whatsoever.”

2. The narration in the petition reveals that the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 28th April 1995, followed by declaration under Section 6 LAA on 26th April 1996. The impugned Award No.1/1998-1999 was passed on 24th April 1998. 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 including *Mool Chand v. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions on the ground of laches.

4. In that view of the matter, learned counsel for the Petitioners, on instructions, seeks leave to withdraw the present petition with liberty to seek the relief of compensation under the LAA, if they are so entitled to in accordance with law.

5. Dismissed as withdrawn with liberty as prayed for.

6. The interim order dated 2nd May 2018 which stood confirmed on 1st August 2018 is hereby vacated.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 22, 2019

rd