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

+ W.P.(C) 5234/2018

SH. GYAN CHAND AND ORS.

..... Petitioner

Through:

versus

UNION OF INDIA AND ORS.

..... Respondent

Through: Mr. Hari Shankar Sharma with Mr.
Kushal Agrawal, Adv. for R-1.
Ms. Ruchika Rathi with Ms.
Subhalaxmi Sen, Advs. for R-3 & R-
4.
Ms. Mrilani Sen with Ms. Kritika
Gupta, Advs. for DDA.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

26.09.2019

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None appears for the petitioner when the matter is called out. In the present case, the petitioner seeks following reliefs:-

“(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 Petitioners with respect to their Land i.e. 1/4th joint share in khasra no.252/1(2-0), 253 (2-6), 254(3-14), 258/1(2-16), 257(4-18),259(1-10), 260(2-8),262(2-0), 312(2-12), 313(2-2), total measuring 26 bighas 6

biswas, 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, Issue order or direction quashing the impugned award no. 205/1986-87 of village Kotla Mahigram (b) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

The acquisition proceedings in the present case, were initiated way back on 06.04.1964 under Section 4 of the Land Acquisition Act and declaration under Section 6 of the said Act was issued on 07.12.1966 and the award was passed in 1986-87. The writ petition is preferred in view of the enactment of the Right to Fair compensation and transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013 which came in force on 01.01.2014. There is delay in filing the present writ petition. The said delay has not been explained in the present writ petition. We, therefore, dismiss the writ petition in default with liberty to the petitioner to re-file the same with adequate justification of the said delay and laches in the present petition.

VIPIN SANGHI, J

SANJEEV NARULA, J

SEPTEMBER 26, 2019

kd