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

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+ **W.P.(C) 8345/2018**

SMT. PHOOL WATI GUPTA AND ORS.

..... Petitioners

Through: Mr S.K. Rout and Mr Aman
Mehrotra, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates for R3.

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

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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24.07.2019

1. The prayers in the petition read as under:

“a. pass a writ order or direction in the nature of a writ of declaration, declaring the acquisition proceedings initiated in respect of the land of the petitioners, admeasuring 22 Bigha 10 Biswa out of Khasra Nos. 393/264 and measuring 3 Bigha 16 Biswa out of Khasra Nos. 392/264/1, total measuring 26 Bigha 6 Biswa, Village Chilla Saroda Banger, Delhi, as deemed to have lapsed in view of provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

b. pass such other or further orders as deem fit and proper in the circumstances of the case.”

2. The narration in the petition reveals that notification under Section 4 of

the Land Acquisition Act, 1894 ('LAA') was issued on 17th November, 1980, followed by declaration under Section 6 LAA on 29th September, 1981. The impugned Award No. 39/82-83 was passed on 30th September, 1982. 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 seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for the inordinate delay in the Petitioners approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 24, 2019
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