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

+ **W.P.(C) 10408/2018**

HEENA

..... Petitioner

Through: Mr.Lalit K.Rawal, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for
L&B/LAC.
Ms.Arti Bansal, Advocate for DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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22.01.2019

1. The prayers in the petition read as under:

“a. Issue a Writ of Mandamus or any other suitable writ order or direction in the like nature thereby directing the respondents to pay suitable compensation in respect of acquired land in respect of land the petitioner father co-bhumidar of the land to the extent of their 1/18th share i.e. (02-02) each and the Petitioner father relinquish his right of the land measuring i.e. (01-01) in favour of his petitioner through Special Power of Attorney doted 01/05/2018 ,in the land bearing Khasra No. 27/23/2 (4-10), 49/25/2 (02-01), 49/18/1 (02-09), 23/2 (03-00), 52/4 (04-15), 5/1 (03-14), 54/6/2 (02-18),241 (00-10),488/2/2(00-19), 490 (00-03), 501 (04-16), 502/1 (00-14) total land measuring 37 Bigha 12 Biswas and the petitioner claim only land measuring 01 Bigha 01 Biswas Situated in the Revenue Estate of Village Korowal Nagar, Shahdara, Delhi-

arising out of Award No.s No.29/78-79 dated 20/11/1978 , Award No.125/1986-87/ dated 19.9.86 and award No. 16/83-84 dated 30/06/1983. In view of the provisions of Section 24(2) of Right of Fair Compensation and transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

b. To pay all benefits/alternative plots/industrial plot/DDA Flat etc. as per revenue record admissible under the law in view of the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. Any other and further relief which this Hon'ble court may deem fit and proper under the circumstances of the case may also be allowed in favour of the Petitioner.”

2. The narration in the petition reveals that notifications under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 16th September 1968, 22nd July 1977 and 14th March 1980, followed by declaration under Section 6 LAA on 13th September 1971. The impugned Awards were passed on 20th November 1978 and 3rd June 1983. 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 following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissed similar matters on account of delay and laches.

4. In that view of the matter, learned counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 22, 2019

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