

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 6237/2018 & CM APPL. 24089/2018

versus

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

(I) Issue writ of DECLARATION and/or any other appropriate Writ, Order or Direction in the like nature declaring the impugned acquisition proceedings commenced vide notification under Section 4 of Act 1894 bearing notification No. F.IO (29)/96/L&B/LA/1 1394 dated 27.10.1999 under Section 4 of LA Act, 1894 and resulting in Award no. 14/2002-03 vis-a-vis

land measuring 1/12 share in land measuring 17 bigha 12 biswas in khasra no. 34//20, 21, 22/1, 35//16/2, 25 situated in the revenue estate of village pehladpur banger stands lapsed;

(II) Consequently issue writ of CERTIORARI quashing the impugned acquisition proceedings commenced vide notification F.IO (29)/96/L&B/LA/I 1394 dated 27.10.1999 under Section 4 of LA Act, 2013 and resulting in Award no.14/2002-03 ;

(III) Issue MANDAMUS and/or any other Writ, Order or direction in the like nature commanding the respondents not to interfere with and/or obstruct the petitioners in peaceful enjoyment of the subject land i.e. land measuring 17 bigha 12 biswas in khasra no. 34//20, 21, 22/1, 35//16/2, 25 Village Pehladpur Banger;

(IV) Pass any other or further writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. The narration in the petition is that a notification under Section 4 of the Land Acquisition Act, 1984 (LAA) was issued on 27th October 1999 followed by a declaration under Section 6 of LAA issued on 3rd April 2000. The Award was passed on 8th July 2002.

3. Learned counsel for the Petitioner states that he has challenged the wrong Award and seeks leave to withdraw the petition with liberty to file a fresh petition. It is made clear that the Petitioner will have to offer, in case the Award is an old one a proper explanation in delay in approaching the Court.

4. Dismissed as withdrawn with liberty to file a fresh petition in the above terms. The pending application is also dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 08, 2019

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