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

+ **W.P.(C) 10322/2018**

PRADEEP KUMAR AND ANR.

..... Petitioners

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.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

22.01.2019

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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 of the Petitioner grandfather i.e. Gopal Singh Son of Late Sh.Udmi Singh along with the predecessor -in-interest of the petitioner grandfather co-bhumidar of the land to the extent of their 1/3rd share each in the land bearing Khasra No.481/ 1(01-15), 482/2 (00-10), 481/3 (00-10),481/4 (01-15), 49/10/1 (00-05), 18/2/1 (01-05), 13/2/1 (01-14) ,52/14 (03-01), 17(05-07), 20/11 (04-16), 12/1(03-01), 21/15/2 (02-08) 272/1(01-16), 15/2/2 (00-10) total land measuring 26 Bigha 02 Biswas petitioner father extent of their 1/3rd share i.e. (08-14) and the petitioner extent of their 1/18th share i.e. 01 Bigha 09 Biswas each land measuring (the petitioner grandfather is Recorded owner in Revenue Record) Situated in the Revenue

Estate of Village Karawal Nagar, Shahdara, Delhi- arising out of Award No.29/78-79 dated 20/11/1978, Award No.1 25/1986-87 dated 19/09/86 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 a 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 Petitioners.”

2. The narration in the petition reveals that notification 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, 19th September 1986 and 30th 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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