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

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**W.P.(C) 7445/2018 & CM APP No. 28511/2018**

**VIJENDER SINGH**

..... Petitioner

Through: Ms. Manju Sharma, Advocate

Versus

**UNION OF INDIA AND ORS.**

..... Respondents

Through: Mr.Niraj Kumar, Senior Central Govt.  
Counsel for R1&2.

Mr.Ajay Verma, Sr. St. Counsel with  
Mr.G.S. Oberoi, Ms. Disha Sachdeva  
and Mr.Sumit Mishra, Advocates for  
DDA.

Mr.Yeeshu Jain with Ms.Jyogi Tyagi,  
Advocates for L&B/LAC.

**CORAM:**

**JUSTICE S.MURALIDHAR**

**JUSTICE ASHA MENON**

**ORDER**

**28.05.2019**

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1. The prayers in the petition read as under:

“a) Issue a writ, of certiorari and/or any other writ, order or direction of the similar nature declaring the entire acquisition with respect land comprised in khasra nos. 16//3 total land measuring 1243 sq. yds. situated in the revenue estate of village Mubarak Pur Dabas, Delhi having lapsed and further quashing the impugned notification No. F.11(19)/01/L&B/LA/20112 dated 21.03.2003 issued under section 4, Notification No.F.11(20)/2004/ L&B/LA/28176 dated 19.3.2004 issued under section 6 of the Land Acquisition Act, 1894 and the Award no. 16/2005-06 with respect to 1243 sq. yds. of above

said Land, situated in the revenue estate of village Mubarak pur Dabas, Delhi.

AND

b) Issue a writ of mandamus and/or any other writ, order and direction of the similar nature issuing directions to the Respondents not to disturb or hinder the physical possession and enjoyment of the Petitioner with respect to 1243 sq. yds. (621 sq. yds. + 622 sq. yds.) of Land comprised in khasra nos. 16//3 situated in the revenue estate of village Mubarak pur Dabas, Abadi known as Inder Enclave, Phase-II, Delhi.

c) Award costs of the writ petition 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 21<sup>st</sup> March, 2003, followed by declaration under Section 6 LAA on 19<sup>th</sup> March, 2004. The Impugned Award No.16/2005-06 was passed on 14<sup>th</sup> September, 2005. 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 Petitioner seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for the inordinate delay in the Petitioner in approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The pending application is also disposed of. The points urged in the counter affidavit of the DDA are left open to be raised at the appropriate stage.

**S.MURALIDHAR, J.**

**ASHA MENON, J.**

**MAY 28, 2019**  
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