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

+ **W.P.(C) 2811/2017**

HARISH KUMAR

..... Petitioner

Through Mr. Mukesh Kumar Verma, Advocate

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through Mr. Yeeshu Jain & Ms. Jyoti Tyagi &
Ms. Astha Tyagi, Advocate for Respondent/LAC/
L & B

Mr. Joginder Sukhija, Advocate for Respondent
No.3/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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24.01.2019

1. The prayers in the petition read as under:

“(i) Issue an appropriate writ, order or directions declaring the entire acquisition proceedings in respect of the land measuring 6 bighas 2 biswas Left out North East Lower portion side out of entire 2/3rd share of land in Khasra No.433/221 mm (66-6), which was 44 bighas 4biswas of Shri Amir Chand Singhla, the predecessor-in-interest of the petitioner, situated, in. Revenue Estate of Village Ladha Sarai, New Delhi, including the notification bearing no. F.4(98)/64/L&H dated 23.01.1965 issued under section 4 of the Land Acquisition Act, 1894 and award No. 21/1989-90 all subsequent proceedings to have lapsed in view of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013.

ii. Pass any further order/ s that this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 23rd January, 1965, followed by declaration under Section 6 of the LAA on 7th December, 1966. The impugned Award No.21/1989-90 was passed on 16th October, 1989. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in the series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissing matters on account of delay and 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 the proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

S.MURALIDHAR, J

SANJEEV NARULA, J

JANUARY 24, 2019
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