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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 7697/2018

SHYAM CHAUHAN

..... Petitioner

Through: Mr. Aman Mehrotra, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Yeeshu Jain, Advocate for LAC
and L&B.

Mr. Kush Sharma, Advocate with Ms.
Shrutika Garg, Advocate for R-
2/DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE REKHA PALLI

ORDER

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07.05.2019

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 of the petitioner father co-bhumidar of the land to the extent of their 1/3th share i.e. (08-06) and the petitioner extent of their 1/18th share i.e. 01 Bigha 08 Biswas land in bearing Khasra No. 500 (04-16), 505 (04-16), 503 (02-19), 504/1 (00-18) 504/2 (03-18), 501/ (04-16), 506/1 (03- 14), total land measuring 25 Bigha 07 Biswas Situated in the Revenue Estate of Village Karawal Nagar, Shahdra, Delhi- arising out of Award No.29/78-79 dated 20/11/1978, Award No.125/1986-87 dated 19/09/1986 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 T 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.”

2. The narration in the petition reveals that lands in question have been acquired under Awards dated 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 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 a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.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

S.MURALIDHAR, J.

REKHA PALLI, J.

MAY 07, 2019

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