

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 9992/2018

GOVT OF NCT OF DELHI & ORS Respondents
Through Mr. Yeeshu Jain with Ms. Jyoti Tyagi, Advocates for Respondent/LAC/L & B
Ms. Ruchira Gupta & Mr. Siddhanth Kochhar, Advocates for Respondent No.3
Mr. Sanjeev Sagar, Standing counsel with Ms. Nazia Parveen, Advocates for Respondent/DDA

ORDER
16.01.2019

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 1/3rd share i.e. (08-06) and the petitioner extent of their 1/3rd 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, Shahdara, 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 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.

c. 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 Petitioner.”

2. The narration in the petition reveals that the land in question was acquired by Award No.29/78-79, Award No.125/1986-87 and Award No.16/83-84 which were passed on 20th November 1978, 19th September 1986 and 30th June 1983 respectively under the Land Acquisition Act, 1894 (LAA). There is no satisfactory 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 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 16, 2019

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