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

+ **W.P.(C) 7708/2018**

OM PRAKASH

..... 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. Pawan Pathak, Standing Counsel
for 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 Mandannus 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 the brief facts leadings to the filing of the present writ petition are that the uncle of the petitioner i.e. Ajee Pal Singh Sonb of Sh.Amee Chand is recorded owner of the agricultural land of bearing Khasra No. 1ETC/94/2(06-19), 1 ETC/128 (01-02), and 1 ETC/141 MIN (01-18) total land measuring 09 Bigha 13 Biswas and the petitioner uncle relinquish his right through Special Power of Attorney dated 13/03/2018 of the land measuring 01 bigha 13 biswas (the petitioner uncle is Recorded owner in Revenue Record) Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi- arising out of Award No.1954 dated 27/02/1967. 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.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 24th October 1961 followed by declaration under Section 6 of the LAA on 1st August, 1966. The impugned Award No.1954 was passed on 27th February, 1967. 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 affidavit of the DDA are left open to be urged at the appropriate stage.

S.MURALIDHAR, J.

REKHA PALLI, J.

MAY 07, 2019/nd