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

+ **W.P.(C) 5343/2016 & CM No. 22268/2016**

GOPAL KISHAN & ANR.

..... Petitioners

Through: Ms. Richa Singh, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Dhanesh Relan, Standing Counsel, DDA with Ms. Mrinalini Sharma and Ms. Gauri Chaturvedi, Advocates.

Ms. Ruchika Rathi, Advocate with Ms. Subha Laxmi, Advocate for Respondent Nos. 1 & 2/LAC.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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29.01.2019

1. The prayers in this petition read as under:

“(a) issue a Writ of certiorari and/or a writ, order or direction in the nature of certiorari calling for the records of the acquisition proceedings in respect of the land comprising in Khasra No.57/4/2 min (0-9 ½), village Prahladpur Bangar, Delhi, belonging to the Petitioners;

B. Issue appropriate Writ, Order or direction, declaring the acquisition proceedings in respect of the land, comprising in Khasra No.57/4/2 min (0-9 Yi), village Prahladpur Bangar, Delhi, having lapsed and have become inoperative after the coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

C. Issue a Writ/Order/Direction in the nature of certiorari, calling for the records of the case and after examining the legality and

validity of the Award bearing No. 14/2002-03, quash and set aside the same;

D. Award the cost of the present proceedings in favour of the Petitioners;

(e) pass any other order or relief which this Hon'ble Court may deems fit, just and proper in the facts & circumstances of the case in favour of Petitioners and against the respondents.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 27th October 1999 followed by declaration under Section 6 LAA on 3rd April 2000. The impugned Award No.14/2002-2003 was passed way back on 8th June 2002.

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. In that view of the matter, learned counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition properly explaining the inordinate delay in approaching the Court for relief.

4. The petition and application are dismissed as withdrawn with liberty as prayed for. The interim order dated 2nd June 2016 stands vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 29, 2019/ss