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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7641/2018**

SURESH KUMAR PARASHAR & ORS. Petitioners

Through: Mr.Aman Mehrotra, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ANR. Respondents

Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for
LAC/L&B.

Mr. Tanmay Yadav for Ms. Mrinalini
Sen, Standing counsel for
Respondent/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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14.05.2019

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 the brief facts leadings to the filing of the present writ petition are that the petitioners are the actual recorded owner of the agricultural land forming part of bearing Khasra No. 1/86 (07-10) 1/125 (06-12) ,and 1/150 (02-08) total land measuring 16 Bigha 10 Biswas and the petitioner is extent 1/2 share i.e. 08 bigha 05 Biswas out of total land measuring 16 bigha 10 biswas (the petitioner is Recorded owner in Revenue Record) Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi-arising out of Award No.22/1981-82 dated 28/09/1981 . 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 14th February 1978, along with declaration under Section 6 LAA on the same date. The impugned Award No.22/1981-82 was passed on 28th September 1981. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in a series of orders including *Mool Chandv. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions on the ground of laches.

4. In that view of the matter, learned counsel for the Petitioners 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.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MAY 14, 2019 / rd