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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6349/2016**

BALWAN SINGH AND ORS Petitioners
Through: Mr. Dharam Singh, Advocate.

versus

UNION OF INDIA AND ORS Respondents
Through: Ms. Manisha Agrawal Narain and
Ms. Vineeta Bansal, Advocates for
DDA.
Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for LAC/L&B.
Mr. Rajneesh Sharma, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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16.01.2019

1. The prayers in this petition read as under:

“A. declare 3/4th share in land in Khasra bearing No.10/27 (21-7) totalling 3/4th share of 21 Bigha 7 Biswa land at Village Sahipur, New Delhi in favour of the petitioners which was acquired by the notification dated 13.11.1959 under section 4 of Land Acquisition Act, 1894 and notification dated 12.07.1966 bearing No.F.4(1)/65-L&H(1) under section 6 of the Land Acquisition Act, 1894 which has been deemed to be lapsed in view of the section 24(2) of the Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and further direct the respondents more specifically the respondent No.1 and 2 to release the land in question to the petitioners accordingly as the petitioners are in physical possession on the spot of the land herein question and also further direct to enter the name of the petitioners in the revenue record accordingly, in the interest of justice.

B. In alternate relief if the respondents not agreed to release the

land herein question then pass directions to issue a writ, order or direction in the nature of mandamus commanding the respondents more specifically the respondent No.1 to pay compensation with rehabilitation to the petitioners as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 in respect to 3/4th share in land in Khasra No. 10/27 (21-7) totalling 3/4th share of 21 Bigha 7 Biswa land at Village Sahipur, New Delhi.”

2. According to the narration in the petition, the notification under Section 4 the Land Acquisition Act, 1894 (‘LAA’) was issued on 13th November 1959 and a declaration under Section 6 of LAA was issued on 12th July 1966. The Award was passed way back in 1968.

3. 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. Dismissed as withdrawn with liberty as prayed for. The interim order dated 25th July 2016 confirmed on 7th November 2017 is hereby vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 16, 2019

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