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

+ **W.P.(C) 6389/2016**

SANJAY ARORA AND ANR Petitioners
Through Mr. Faheem Shah, Advocate

versus

LAND ACQUISITION COLLECTOR (SOUTH-EAST) AND ORS
..... Respondents
Through Mr. Rahul Bakshi, Advocate for
Respondent/DDA
Mr. Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **24.01.2019**

1. The prayers in the petition read as under:

“a) Issue a writ/ order/ direction in the nature of certiorari calling for the record of the land acquisition proceedings in respect of land admeasuring 4 Bighas bearing Khasra No. 753, 16 Biswas bearing Khasra No. 754 (part), 756 (part) 754 (part) and 1979/743 (part), 2 Bighas 16 Biswas bearing Khasra No. 753 mentioned in Khewat No. 322/318 Khatauni No. 1252, 1 Bigha 16 Biswas bearing Khasra No. 753, 1979/742 Min, 754 Min, 754 Min and 756, and 1 Bigha 8 Biswas bearing Khasra No. 753, 1979/742 Min, 754 Min, 754 Min and 756 situated in the revenue estate of Village Tughlakabad, Delhi acquired vide Award No. 50-A/Supp./1969-70 dated 04.11.1981, and further to pass appropriate writ/ order/ direction declaring the acquisition proceedings with respect to the said land to have lapsed after coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

ii) Pass any other order / orders which this Hon'ble Court may deem fit and proper in the facts & circumstances of the case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 23rd January, 1965 followed by declaration under Section 6 of the LAA on 13th January, 1969. The impugned Award No.50-A/Supp./1969-70 was passed on 4th November, 1981. 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 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 The petition is dismissed as withdrawn with liberty prayed for.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 24, 2019
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