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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7628/2018**

VIMLESH

..... Petitioner

Through: Mr.Aman Mehrotra, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

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

Mr. Sanjeev Sagar with Ms. Nazia
Parveen, Advocates 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 hereby directing the respondents to pay suitable compensation in respect of acquired land in respect bearing Khasra No. 1/100 (11-14) total and measuring 11 Bigha 14 Biswas and the petitioner, family members are extent their share ½ share i.e. 5850 sq.yds. in Petitioner extent their share i.e. 1462 sq.yds. (the grandfather of the petitioner 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 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 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 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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MAY 14, 2019 / rd