

\$~

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

55

+ **W.P.(C) 8205/2018**

TEELU @ MANGAT RAM

..... Petitioner

Through: Mr Aman Mehrotra, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ORS.

..... Respondents

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

Mr Sanjeev Sagar, Standing Counsel
for DDA with Ms Nazia Parveen,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% **22.07.2019**

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 father of the petitioner i.e. Raja Ram Son of She is recorded owner of the agricultural land of bearing Khasra No.43/1 (02-07), 1/102(02-16), 1/120min (03-09), 1/120min (03-06) total land measuring 14 Bighas 07 Biswas in Petitioner extent 1/6th share i.e. 02 Bighas 08 Biswas (the petitioner father 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 22nd 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 Chand v. 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 the proper explanation for inordinate delay by the Petitioner in approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The points urged in the counter affidavit filed by the DDA are left open to be raised at an appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 22, 2019/rd