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

+ **W.P.(C) 6851/2016**

DARSHAN SINGH & ORS.

..... Petitioners

Through: Mr. Dhiraj Singh Panwar, Advocate

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Vijay Joshi, Senior Panel Counsel
for UOI / R-1

Ms. Ruchika Rathi, Advocate for
L&B, LAC

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

23.07.2019

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1. The prayers in the petition read as under:

“(a) Pass a writ, order or direction in the nature of a writ of declaration, declaring the acquisition proceedings initiated in respect of the land comprised in Khasra Nos. 266/2 (1-6), and 266/2 (8-0) total admeasuring 09 Bigha 06 Biswa, situated in village Masoodpur, Delhi to the extent of the 1/3 share which was owned by Petitioner's predecessors in interest namely Mam Chand, etc., have lapsed in view of the provisions of the 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 23rd January, 1965,

followed by declaration under Section 6 LAA on 6th September, 1966. The impugned Award No.2225 was passed on 25th March, 1969. 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 Petitioners seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for the inordinate delay in the Petitioners 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 The petition is dismissed as withdrawn with liberty prayed for.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 LAC, and in the rejoinder thereto on behalf of the Petitioner, are left open to be raised at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 23, 2019

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