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

+ **W.P.(C) 3261/2017**

MAHESH RAJA

..... Petitioner

Through: Mr Aman Mehrotra, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr Yeeshu Jain and Ms Jyoti Tyagi,
Advocates for LAC/L&B.
Mr Akshay Chandra, Advocate for
DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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23.04.2019

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 holding that the acquisition proceedings resulting from the Award no 54-A/1970-71 of village Karkardooma, Shahdara, Delhi in respect of land of Khasra no. 572 measuring 01 bigha 15 biswas i.e. 1750 sq. yards situated in the revenue village of Karkardooma, Shahdara, Delhi is null, void and all subsequent proceedings conducted therein stood lapsed in view of the provisions of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

b) Direct the respondents to release the aforesaid land of the petitioner forming part of Khasra No. 572 measuring 60% i.e. 01 bigha 15 biswas i.e. 1750 sq. yards situated in the revenue village of Karkardooma Shahdara, Delhi from acquisition proceedings”

2. The narration in the petition reveals that notification under Section 4 of

the Land Acquisition Act, 1894 ('LAA') was issued on 13th November 1959, followed by declaration under Section 6 of the LAA on 14th June 1966. The impugned Award No. 54-A/1970-71 was passed on 5th January 1971. 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 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 The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order passed by this Court on 18th April, 2017 is hereby vacated.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 23, 2019

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