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

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+ **W.P.(C) 3947/2017**

RAMBIR SINGH MALIK AND ORS.

..... Petitioners

Through: Mr. Sunil K.Goel, Advocate.

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr Pawan Mathur, Advocate for
DDA.

Mr.Yeeshu Jain, standing counsel for
LAC/L&B with Ms.Jyoti Tyagi,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER
24.07.2019

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1. The prayers in the petition read as under:

“(a) a. Issue a writ of Mandamus or any other Direction[s] or order[s] in nature thereof thereby lapse the acquisition proceedings of land falling in Khasra No. 2323/1236 (now new Khasra no. 593), situated in the revenue estate of Village Mehrauli, District-South, New Delhi admeasuring area 03 Bighas and 09 Biswas which had been acquired vide Award No. 80E/1970-71 [Suppl.], situated in the revenue estate of Village- Mehrauli, New Delhi.

b. Issue any other or further order[s] as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”

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 7th December, 1966. The impugned Award No. 80E/1970-71 (Suppl.) was passed on 9th January, 1981. 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 The petition is dismissed as withdrawn with liberty prayed for.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 DDA and LAC, are left open to be raised at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 24, 2019

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