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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7740/2016**

ANIL PARASHAR

..... Petitioner

Through: Mr. N. Prabhakar, Advocate with Mr.
Dhruv Sharma, Advocate.

versus

THE HONORABLE LT. GOVERNOR & ORS.

..... Respondents

Through: Mr. Pawan Mathur, Standing Counsel,
DDA.

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

And

+ **W.P.(C) 7789/2016**

ANIL PARASHAR

..... Petitioner

Through: Mr. N. Prabhakar, Advocate with Mr.
Dhruv Sharma, Advocate.

versus

LT. GOVERNOR, DELHI & ORS.

..... Respondents

Through: Mr. Nikhil Rohatagi, Advocate with
Mr. Shashank Khurana, Advocate for
DDA.

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

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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07.01.2019

1. The prayer in the present writ petition reads as under:-

- ‘a. Issue a writ of declaration that the acquisition proceedings with respect to the agricultural land in khasra no. 187 (2Bigha-15 Biswas) and the Khasra number 189(2Bigha- 16 Biswas) in the village Ladha Sarai have lapsed in terms of the section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition (Rehabilitation and Resettlement) Act 2013;
- b. issue a writ of mandamus or any suitable directions to the respondents to make appropriate changes in the revenue record in favor of the petitioner and other members of the family having interest therein;
- c. Or in the alternative issue a writ in the nature of mandamus to issue fresh notification for the acquisition of land and award compensation to the petitioner subject to the rights of the other legal claimants in terms of the provisions of the New Act’

2. As the narration in the petition itself shows, 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 6th January, 1969. The award confirming the acquisition of the land was passed way back on 2nd May, 1975. Even according to the Petitioner, when the Respondents came to take possession of the land in question, the sons of his predecessor-in-interest approached the Civil Court with Suit No. 220/75 for a permanent injunction. This came to be dismissed in 1985. The first appeal bearing No. 409/85 was dismissed by the Appellate Court on 16th July, 1993. RSA No. 116/93 was dismissed by this Court on 10th December, 2003.

3. Therefore, throughout, the Petitioner was certainly aware of the land acquisition proceedings and, in 2003, he has desperately attempted challenging the circumstances thereof.

4. Between then and the filing of the present petitions, except pointing out to the enactment of the 2013 Act, there is no mention made of any step taken by the Petitioner to challenge the land acquisition proceedings.

5. It is pointed out that there was another Award No. 28/86-87 passed on 19th December, 1986 which is subject matter of the challenge in Writ Petition (Civil) No. 7789/2016.

6. In both the petitions, therefore, there is no explanation for the inordinate delay in approaching the Court.

7. This Court has in its order dated 10th December, 2018 in Writ Petition No. 2734/2015 (***Devender Singh & Ors vs. The Honorable Lt. Governor & Ors***) in similar circumstances dismissed the writ petition on the ground of laches after referring to the decisions of the Supreme Court in ***Mahavir v. Union of India (2018) 3 SCC 588***, and ***Tamil Nadu Housing Board, Chennai v. M. Meiyappan (2010) 14 SCC 309***.

8. The petitions are accordingly dismissed on the ground of laches.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 07, 2019

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