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

+ **W.P.(C) 4806/2015**

GULAB AHMAD BEG

..... Petitioner

Through: Mr. Bharat Bhushan Bhatia with Ms.
Vijay Laxmi, Advs.

versus

UNION OF INDIA AND ORS

..... Respondent

Through: Mr. Yeeshu Jain with Ms. Jyoti
Tyagi, Advs. for LAC.
Mr. Manish Mohan with Ms. Manisha
Saroja, Advs.
Mr. Ajay Varma and Mr. Arjun Pant,
Advs. for DDA.
Mr. B.L. Wali, Advs. for DMRC.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

09.10.2019

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The present writ petition has been preferred by the petitioner to seek the following reliefs:

“a) Issuance of writ of certiorari for the quashing of the award no.20/92-93 passed in pursuance of notification under section 4 read with section 6 & 17 of the land acquisition act, 1894 vide notification no.p.9(1)/89/l&d(i) dated 23.06.1989 and f.91/l&b(ii & iii) dated 22.06.1990 for the land situated in

khasra no.460-535, village madanpur khadar, delhi and consequential proceeding.

b) And further writ, order and /or directions in the nature of mandamus directing the respondents to grant benefits/compensation as per the provisions of new land acquisition act, as amended up-to-date and the right to fair compensation and transparency in land acquisition and resettlement act, 2013.

c) And further direct respondent No. 1 to examine the document of the petitioner for compensation.

d) pass any other order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the present case in favour of the Petitioner."

The matter has been heard at some length on the last date of hearing i.e. 30.09.2019 when the counsel for the petitioner sought an adjournment.

We may observe that counsel for the respondents had sought to place heavy reliance on the decision of this Court in ***Mool Chand v. Union of India & Ors.***, W.P.(C.) No. 4528/2015, decided on 17.01.2019 and several other decisions.

One of the pleas of the respondents was that the petition was barred by delay and laches. The respondents had also argued with regard to the locus of the petitioner and that the relief sought is in respect of an unauthorised colony.

Today, learned counsel for the petitioner states that the petitioner seeks leave to withdraw the petition with liberty to file a better petition explaining the delay and laches.

We, therefore, dismiss the petition with liberty as prayed for. We, however, make it clear that we have not ruled on the other objections raised by the respondents and the same shall be open to them to raise if the

petitioner files a fresh petition.

Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

OCTOBER 09, 2019

N.Khanna