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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9337/2016**

SANTOSH DEVI AND ORS

..... Petitioners

Through: Mr.S.K.Rout with Mr.Ved Prakash,
Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Pawan Mathur, Standing Counsel
for DDA.
Mr.Sanjay K.Pathak with Mr.Sunil
K.Jha & Mr.M.S.Akhtar, Advocates
for LAC/L&B.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
21.01.2019

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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 of the petitioners, 3/5th share out of admeasuring 12 Bigha and 07 Biswa bearing Khasra Nos. 1545 (5-03) and 1550 (7-04) situated in the Revenue Estate of Village-Tihar Distt. West, Rampura New Delhi, as deemed to have lapsed in view of the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013:

b. further pass a writ, order or direction in the nature of a writ of mandamus thereby directing the respondents not to interfere with the peaceful possession and enjoyment of the land 3/5th share out of admeasuring 12 Bigha and 07 Biswa bearing Khasra Nos. 1545 (5-03) and 1550 (7-04) situated in the Revenue Estate of Village-Tihar Distt. West, Rampura New Delhi, and

pass such other and further orders as this Hon'ble Court may deem fit and proper in the justice.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 13th February 1964, followed by declaration under Section 6 LAA on 17th December 1964. The impugned Award No. 1916(Supp) was passed on 3rd May 1967. 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 following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissed matters on account of delay and laches including the order dated 10th December, 2018 in WP(C) No. 2734/2015 (*Devender Singh v. The Hon'ble Lt. Governor*).

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 with a proper explanation for the delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 21, 2019 / tr