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

+ **W.P.(C) 9512/2016**

SUKHBIR SINGH AND ORS

..... Petitioners

Through Mr. Arun Kumar Kaushik, Advocate
along with Petitioner in person

versus

UNION OF INDIA AND ORS

..... Respondents

Through Mr. Brajesh Kumar, Advocate
Mr. Arun Birbal & Mr. Ajay Birbal, Advocates for
Respondent/DDA
Mr. Siddharth Panda, Advocate for
Respondent/LAC/L & B Deptt.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **24.01.2019**

1. The prayers in the petition read as under:

“(a) Pass a writ, order or direction in the nature of appropriate writ, thereby declaring the acquisition proceedings initiated in respect of the land of the petitioners with respect to their land being 7/24 joint share in Khasra No. 756(06-05) & 758(2-15), situated in the revenue estate of Village- Tughlakabad, 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, and further issue order or direction thereby quashing the Award No. 50A/1969-70 supplementary) of village Tughlakabad, Delhi thereby the aforesaid land belonging to the petitioners or their predecessor in interest acquired, to the extent of the aforesaid land.

(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 of the petitioners being 7/24 Joint share in Khasra no. No. 756(06-05) & 758(2-15) situated in the revenue estate of Village, Tughlakabad, Delhi.

(c) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 25th January, 1965 followed by declaration under Section 6 of the LAA on 13th February, 1969. The impugned Award No.50A/1969-70 (Supplementary) was passed in the year 1969-70. 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* dismissing matters on account of delay and 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 the proper explanation for inordinate 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 24, 2019/rd