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

+ **W.P.(C) 9550/2016**

HARBIR AND ORS.

..... Petitioners

Through: Mr. Arun Kumar Kaushik, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Rishabh Sahu with Mr. Shireen Khan, Advocate for UOI.
Mr. Dhanesh Relan, Standing Counsel with Mr. Rajeev Jha, Advocate for DDA.
Mr. Yeeshu Jain with Ms. Shilphi Chaudhary, Advocate for LAC, L&B.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER
08.04.2019

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1. The prayer in the petition reads 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 being 1/32 Joint Share in Khasra No.45/3(0-12), 60 min (05-11), 68(19-12), 105(03-14), 106(21-02), 119(10-11), 126(06-15), 131(08-16) & 132(28-01) and being 1/24 Joint Share in Khasra No. 117(06-10), situated in the revenue estate of Village Behlolpur Khadar, Tehsil Defence Colony, District South-East, 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, and further issue

order or direction thereby quashing the Award No. 15/1992-93 of Village Behlolpur Khadar, Delhi thereby the aforesaid land belonging to the petitioners or their predecessor in interest acquired, to the extent of the aforesaid land.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 23rd June, 1989, followed by declaration under Section 6 of the LAA on 22nd June, 1990, the impugned Award No.15/1992-93 was passed on 19th June, 1992. 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. The above observations have been followed by this Court in several orders including (*Mool Chand v. Union of India*) 2019 (173) DRJ 595 [DB] and similar petitions have been dismissed on the ground of 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 a proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order passed by this Court on 8th November, 2016 is hereby

vacated. The points urged in the counter affidavits of the LAC and the DDA are reserved to be urged at the appropriate stage.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 08, 2019

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