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

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+ **W.P.(C) 9909/2016**

SHRI KISHORE LAL & ORS. Petitioners

Through: Mr B. Tripathy with Mr Randhir
Pandey, Advocates.

versus

GOVT. OF NCT, DELHI & ORS. Respondents

Through: Mr Yeeshu Jain and Ms Jyoti Tyagi,
Advocates for LAC/L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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30.01.2019

1. The prayers in the petition read as under:

“1. Issue a writ / order / direction in the nature of certiorari calling for the records of the acquisition proceedings in respect of the land in question i.e. 1/3 share of land bearing Khasra Nos. 453 (01-02), 454 (04-16), 459 (5-18), 460 (04-16), 461 (04-16), 462 (03-14) admeasuring in total 8 bigha 4 biswas situated within the revenue estate of Village Shahoorpur, Tehsil Saket, District South, New Delhi.

2. Issue appropriate writ, order or direction declaring the acquisition proceedings having lapsed and have become inoperative after the coming into force of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013.

3. Award cost of proceedings to the humble petitioners.

AND

4. Pass any other order (s)/ direction (s) in the interest of justice

as this Hon'ble Court may deem fit and proper.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 25th November 1980, followed by declaration under Section 6 LAA on 15th May 1985. The impugned Award No. 10/87-88 was passed in 1987-88. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in a series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* been dismissing similar 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 The petition is dismissed as withdrawn with liberty prayed for. The interim order dated 25th October 2016 as confirmed on 19th March 2018 hereby stands vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 30, 2019

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