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

+ **W.P.(C) 10135/2016**

SATISH MALIK AND ORS Petitioners
Through Mr. Prashant Bhardwaj, Advocate for
Mr. Arvind Kumar Gupta, Advocate
versus
UNION OF INDIA AND ORS Respondents
Through Mr. Arjun Pant, Advocate for
Respondent/DDA
Mr. Rajneesh Sharma, Advocate for
Respondent/LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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24.01.2019

1. The prayers in the petition read as under:

“i) issue a writ of mandamus or any other appropriate writ, order or direction thereby, inter alia, declaring that acquisition proceedings in respect of the land belonging to the petitioners i.e, to the extent of 113rd share each in land (9-11 bigha) falling in Khasra No. 26 situated in the revenue estate of Village Masoodpur, New Delhi, have been lapsed on the commencement of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

ii) issue a writ or any other appropriate writ, order or direction thereby direct the respondents not to interfere in the peaceful possession of the petitioners qua the land subject matter of the present writ petition;

iii) Issue a writ or any other appropriate writ, order or direction thereby direct the respondent to correct the revenue record by reflecting the names of petitioner in respect of land measuring 9 bighas 11 biswas in Khasra No. 26, in Village Masoodpur, New Delhi as owner in place of the Union of India i.e. respondent no. 1;

iv) Any other relief, order or direction which this Hon'ble Court deems fit and proper may also be passed in favour of the petitioners.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 23rd January, 1965, followed by declaration under Section 6 of the LAA on 23rd December, 1968. The impugned Award No.90/80-81 was passed on 22nd December, 1980. 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