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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10797/2016**

RAJENDRA NATH SHARMA & ORS.. Petitioners

Through: Mr.Sunil K. Goel, Advocate

Versus

GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr. Yeeshu jain, Standing Counsel with Ms.
Jyoti Tyagi for Respondent/LAC/L & B
Deptt.
Mr. Arun Birbal for Respondent/DDA

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VINOD GOEL

ORDER
08.02.2019

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1. The prayer in the petition reads as under:

“It is, therefore, most humbly and respectfully prayed that your lordships may be pleased to:-

a. Issue a writ of Mandamus or any other Direction(s) or order(s) in nature thereof thereby quashing the acquisition proceedings of land falls in Khasra No. 59/3[2-0] situated in the revenue estate of Village Mehrauli, District-South, New Delhi, which have been acquired vide Award No.08/1980-81, situated in the revenue estate of Village Mehrauli, New Delhi.

b. Issue any other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was followed by declaration under Section 6 of the LAA on 21st November 1978. The impugned Award No.08/1980-81 was passed on 9th April 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* and *Indore Development Authority v. Shailendra (2018) 3 SCC 412* dismissed matters on account of delay and laches. The above observations have been followed by this Court in several orders including the order dated 10th January, 2019 in WP (C) No. 4528/2015 (*Mool Chand v. Union of India*) 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 the proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty as prayed for. The interim order dated 16th November, 2016 which stood confirmed on 31st October, 2017 stands vacated.

S. MURALIDHAR, J.

VINOD GOEL, J.

FEBRUARY 8, 2019

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