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

+ **W.P.(C) 9959/2018 & CM Appl.No. 38777/2018 (stay)**

PRATIMA SHARMA Petitioner

Through Mr. Lalit Kumar Rawal &
Mr. Siddharth Gupta, Advocates

versus

GOVT. OF NCT OF DELHI AND ANR. Respondents

Through Mr. Yeeshu Jain with Ms. Jyoti
Tyagi, Advocates for Respondent/LAC/L & B
Mr. R.K.Dhawan, ASC with Ms. Richa Dhawan &
Mr. V.K.Teng, Advocates for Respondent/DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **16.01.2019**

1. The prayers in the petition read as under:

“a. Issue a writ of mandamus or any other suitable writ order or direction in the like nature thereby holding that the acquisition Proceedings resulting from the Award No. No.21 / DC (EAST) / 2004-05 DATED 21/12/2004, of Village KARKAR DOOMA, Delhi- in respect of land of bearing Khasra No.1387 land measuring 01 Bigha (i.e.1000 Sq.Yds. Grand Mother-in-law of the Petitioner is subsequent purchaser and the petitioner claim only 04 Biswas i.e. 200 sq.yds. through Special Power of Attorney out of total land 01 Bigha 01 land) Situated in the Revenue Estate of Village Karkar Dooma, Shahdra, Delhi is null, void and all subsequent proceedings conducted therein stood lapsed in view of the provisions of Section 24(2) of Right to Fair Compensation and Transparency in Land Acquisition and Resettlement Act,2013.

b. Direct the respondents to release the aforesaid land of the Petitioner forming part of Khasra No.1387 land measuring 01 Bigha (i.e.1000 Sq.Yds. Petitioner is subsequent purchaser and the petitioner claim only 04 Biswas i.e. 200 sq.yds.(through Special Power of Attorney)

out of total land 01 Bigha land) Situated in the Revenue Estate of Village Karkardooma, Shahadra, Delhi form acquisition proceedings.

c. Any other and further relief which this Hon'ble court may deem fit and proper under the circumstances of the case may also be allowed in favour of the Petitioner.”

2. The narration in the petition reveals that the land in question was acquired under Award No.21/DC (EAST)/2004-05 dated 21st December 2004 which was passed under the Land Acquisition Act, 1894 (LAA). There is no satisfactory explanation in the petition for the 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* dismissed 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 the delay in the Petitioner approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty as prayed for.

6. The interim order dated 24th September, 2018 stands vacated. The application is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 16, 2019/mw