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

+ **W.P.(C) 6572/2017**

YOGENDER SINGH AND ORS Petitioners
Through: Mr.Aman Mehrotra, Advocate

versus

UNION OF INDIA AND ORS Respondents
Through: Mr.Rajneesh Sharma, Advocate for
R-1 & R-2.
Mr.Yeeshu Jain, Advocate with
Ms.Jyoti Tyagi, Advocate for L & B/
LAC.
Mr.Vaibhav Agnihotri, Advocate with
Mr.Vinayak Harshvardhan, Advocate
for DDA.

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

% **ORDER**
26.03.2019

1. The prayers in the petition read as under:

“a) issue a writ of certiorari and/or any other writ, order or direction of the similar nature declaring the acquisition proceedings with respect of the land measuring 15 Biswa (1/3"" share each) falling in Khasra number 61/10 in revenue village Mamurpur, Delhi forming part of the Award No. 202/86-87 dated 19.9.1986 as having lapsed and/or;

b) issue a writ of mandamus and/or any other writ, order

or direction of the similar nature thereby directing the respondents to restore the possession of the subject land back to the petitioner and/or in alternative;

c) issue a writ of mandamus and/or any other writ, order or direction of the similar nature thereby directing the respondents to pay to the petitioner the compensation in terms of the new Act, 2013 and/or;

d) pass any other or further direction and/or order which the Hon'ble Court deem fit and proper 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 issued on 30th October 1963, followed by declaration under Section 6 of the LAA on 16th January 1969. The impugned Award No. 202/86-87 was passed on 19th September 1986. 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, including ***Mool Chand v. Union of India 2019 (173) DRJ 595 (DB)***, 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 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 The petition is dismissed as withdrawn with liberty prayed for.

S.MURALIDHAR, J

I.S.MEHTA, J

MARCH 26, 2019

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