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

+ **W.P.(C) 10646/2018 & CM APPL. 41515/2018**

NEERAJ SUJI & ORS.

..... Petitioners

Through: Mr. S.K. Rout and Mr. Aman
Mehrotra, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Akhil Mittal, Standing Counsel
for R-5.
Ms. Anya Singh, Advocate for R-3.
Mr. Vipul Pankaj Sanghi and Mr. C.
T. Lalrampari, Advocates for R-
3/PWD.
Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for LAC/L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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29.01.2019

1. The prayers in this petition read as under:

“a. pass a writ, order or direction in the nature of a writ of declaration, declaring the acquisition proceedings initiated in respect of the land of the petitioners, bearing old khasra no's. 1527/2, vide new khasra number 98/4 [1 bigha 18 biswa] and old khasra no. 1533 and new khasra number 92/25 area measuring 3 bigha 09 biswa, total measuring 5 bigha 07 biswa situated in Village Alipur, Tehsil Narela, Distt. North - West, Delhi as deemed to have lapsed in, view of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

b. and, restraining the respondents not to interfere in the peaceful possession of the petitioners with regard to the old khasra no's. 1527/2, vide new khasra number 98/4.(1 bigha 18 biswa) and old khasra no. 1533 and new khasra number 92/25 area measuring 3 bigha 09 biswa, total measuring 05 bigha 07 biswa situated in Village Alipur, Tehsil Narela, Distt. North - West, Delhi;

c. pass such other[s]and/or direction as this Hon'ble Court may deem fit and proper.”

2. According to the narration in the petition, notification under Section 4 as well as declaration under Section 6 of the Land Acquisition Act, 1894 ('LAA') was issued on 9th January 1980. The impugned Award No.49/80-81 was passed way back on 17th July 1980.

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. In that view of the matter, learned counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition properly explaining the inordinate delay in approaching the Court for relief.

4. Dismissed as withdrawn with liberty as prayed for. The interim order dated 5th October 2018 hereby stands vacated.

S. MURALIDHAR, J.

SANJEEV NARULA, J

JANUARY 29, 2019

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