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

+ **W.P.(C) 10636/2018**

SANTA DEVI AND ORS. Petitioners

Through: Mr.Aman Mehrotra, Advocate

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Sanjay Kumar Pathak, Mr. Sunil
Kumar Jha & Mr. M.S.Akhtar, Advocates for
Respondent/LAC/L & B

Ms. Mrinalini Sen, Standing counsel for DDA

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **28.01.2019**

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 directing the respondents to pay suitable compensation in respect of acquired land of the Petitioners Mother i.e. Smt.Savitri Wife of Late Sh.Gyani Ram co-bhumidar of the land to the extent of their 1/4th share each in the land bearing Khasra No. 8/16 (04-16), 1/6/2 (02-18), 22 (03-05) 15/2(04-16) 28(00-18), 21/16/1 (03-10) total land measuring 26 Bigha petitioners mother extent of their 1/4th share i.e. 06 Bigha 10 Biswas (the petitioners Mother is the Recorded owner in Revenue Record) Situated in the Revenue Estate of Village Karawal Nagar, Shahdra, Delhi- arising out of Award No.16/83-84 dated 30/06/1983, Award No.29/78-79 dated 20/11/1978 and Award No.125/1986-87 dated 19/09/1986. In view of the provisions of Section 24(2) of Right of Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,2013.

b) To pay all benefits/alternative plots/industrial plot/DDA Flat etc. as

per revenue record admissible under the law in view of the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act,2013.”

2. The narration in the petition reveals that pursuant to the notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) followed by declaration under Section 6 LAA, the impugned Award Nos.16/83-84, 29/78-79 & 125/1986-87 were passed on 30th June, 1983, 20th November, 1978 & 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 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 Petitioners seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay in the Petitioners approaching the Court for relief.

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 The petition is dismissed as withdrawn with liberty prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 28, 2019/mw