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

+ **W.P.(C) 10629/2018**

JUGAL KISHORE & ANR

..... Petitioners

Through: Mr. Arun Kumar Kaushik, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Jitesh Vikram Srivastava,

Advocate for Respondent No.1/UOI

Ms. Sukriti Gandhi for Ms.Kanika Agnihotri, ASC
for Respondent No.2/DDA

Mr. Yeeshu Jain &Ms. Jyoti Tyagi, Advocates for
Respondent /LAC/L & B

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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28.01.2019

1. The prayers in the petition read as under:

“(i) issue a writ of certiorari and/or any other writ, order or direction of the similar nature declaring the entire acquisition with respect to land of the petitioners being ½ joint share in Khasra No. 445 min (00-11), situated in the revenue estate of Village Jasola, Tehsil - Sarita Vihar, District South-East, Delhi, having lapsed and further quashing of the impugned Award No.247/1986-87 with respect to the land of the petitioner being joint share in Khasra No. 445 min (00-11), situated in the revenue estate of Village Jasola, Tehsil - Sarita Vihar, District South-East, Delhi, to the extent of aforesaid land of the petitioners, in the interest of justice;

(ii) pass any other or further order which this Hon'ble Court may 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 12th & 13th May, 1986, followed by a declaration under Section 6 of the LAA on 12th & 13th May, 1986. The impugned Award No.247/1986-87 was passed on 22nd October, 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 The petition is dismissed as withdrawn with liberty prayed for.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

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