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

+ **W.P.(C) 10992/2018**

PREM SINGH TOKAS & ORS

..... Petitioners

Through: Mr. I. S. Dahiya, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for LAC/L&B.
Ms. Shobhana Takiar, Advocate for
DDA.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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30.01.2019

1. The prayers in this petition read as under:

“(i) Issue a writ of certiorari or any other appropriate writ, order or direction to call the record pertaining to the land of petitioners comprising in Khasra No. 57(1-16) and 58/1(1-03) total measuring 2 bigha 19 biswa, situated in the revenue estate of village Humayunpur, Delhi, from the office of respondents; AND

(ii) Issue a writ of mandamus or any other appropriate writ, order or direction for quashing the acquisition proceedings in respect of land comprising in Khasra No. 57(1-16) and 58/1(1-03) total measuring 2 bigha 19 biswa, situated in the revenue estate of village Humayunpur, Delhi, which was acquired vide Award No. 38 of 1978-79 of village Humayunpur, Delhi, under the Land Acquisition Act, 1894, but its possession has not been taken by the appropriate government till date;

(iii) Award costs of the present petition in favour of the

petitioners and against the respondents; and

(iv) Issue any other or further appropriate writ, order or direction as this Hon'ble Court deems fit and proper in the facts and circumstances of the case, in favour of the petitioners and against the respondents.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 3rd September 1957 followed by declaration under Section 6 LAA on 4th January 1969. The impugned Award was passed way back in January, 1979.

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 Dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 30, 2019

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