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

+ **W.P.(C) 7411/2015 & CM APPL. 13664/2015**

NARESH KUMAR AND ORS.

..... Petitioners

Through: Mr.Dhruv Sharma, Advocate for P5
& P6.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr.Arun Birbal with Mr.Ajay Birbal,
Advocates for DDA.
Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for
L&B /LAC.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

07.01.2019

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1. The prayers in this writ petition are as follows:

“It is, therefore, respectfully prayed that this Hon Court may be pleased to issue a writ/order/direction in the nature of certiorari calling for the records of the acquisition proceedings with respect to the lands comprised in khasra No. 189/2 admeasuring 02 bighas 017 biswas situated in the revenue estate of Village Lado Sarai, Tehsil- Huaz Khas, Mehrauli, New Delhi and further to pass appropriate writ, order or directions declaring the acquisition proceedings to have lapsed and have become inoperative under sec.24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013 as physical possession of the lands of the petitioners has not been taken.

Award cost of proceedings to the humble petitioner.

The Hon Court may pass such other and further order as it deems fit and proper under the facts and circumstances of the case.”

2. In the counter-affidavit filed by the LAC it is pointed out that physical possession of the entire land in Khasra No.189/2 (6-13) was taken on 24th June 1980 on the spot and handed over to the DDA. Compensation was paid to Molar Singh, Man Singh, Rattanjit and Bramjeet. In the counter-affidavit filed by the DDA it is pointed out that the possession of the land was handed over by the LAC to the DDA on 24th June 1980 and was further transferred to the Horticulture Department. It was declared as a development area by a notification dated 29th July 1980. It is further stated that the entire compensation amount was remitted by the DDA to LAC.

3. There is no valid explanation in the petition for the inordinate delay in approaching the Court for relief. It appears that the predecessors-in-interest of the Petitioners had earlier filed writ petitions in this Court which stood dismissed way back in 1995. With there being no valid explanation to inordinate delay in approaching the Court for relief the petition is dismissed on the ground of laches. Pending application is also disposed of.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 07, 2019

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