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

+ **W.P.(C) 12364/2018**

PHOOL WATI GUPTA & ORS

..... Petitioners

Through: Mr.S.K.Raut, Mr.Aman Malhotra,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Yeeshu Jain, Standing Counsel,
Ms.Jyoti Singh, Advocate.
Mr.Arun Birbal and Mr.Ajab Birbal,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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08.07.2019

1. The prayers in the 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, admeasuring 4 Bigha 3 Biswa in Khasra Nos. 236/2/2(4-03), Shakrpur Khas, Delhi, as deemed to have lapsed in view of provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 13th November, 1959, followed by declaration under Section 6 LAA on 18th March, 1966. The Impugned Award No. 7/1969 was passed on 26th July, 1967. 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 including *Mool Chand v. Union of India 2019(173) DRJ 595[DB]* followed the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* and dismissed similar petitions on the ground of laches.

4. In that view of the matter, learned counsel for the Petitioner seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay by the Petitioner in approaching the Court for relief. The points urged by the LAC in the counter affidavit are left open to be urged at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 08, 2019

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