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

+ **W.P.(C) 8329/2015**

SURESHPAL & ORS. Petitioners

Through: Mr.Rajeev Verma, Advocate

versus

UNION OF INDIA & ANR. Respondents

Through: Mr.Yeeshu Jain, Standing Counsel
with Ms.Jyoti Tyagi, Advocate for L
& B/ LAC (GNCTD)
Ms.ShobhanaTakiar, Advocate for
DDA with Ms.Shivani Jain, Advocate

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER
% **19.03.2019**

1. The prayer in the petition reads as under:

“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.472 measuring 2 bigha 18 biswas, situated in the revenue estate of village Madan Pur Khadar, Sarita Vihar, New Delhi, acquired vide Award. 20/1992-93 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 possession of the lands of the petitioners has not been taken.”

2. The narration in the petition reveals that notification under Section 4 of

the Land Acquisition Act, 1894 ('LAA') was issued on 23rd June 1989 followed by declaration under Section 6 of the LAA on 22nd June 1990. The impugned Award No.20/1992-1993 was passed in the year 1992. 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 the order in ***Mool Chand v. Union of India & Ors. 2019 (173) DRJ 595 (DB)***, 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 Petitioner seeks liberty to withdraw this petition with liberty to file a fresh petition giving the proper explanation for inordinate delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The interim order dated 1st September 2015 as confirmed on 5th March 2018 is hereby vacated. The contentions of the parties as averred in their respective counter affidavits and the rejoinder are left open to be urged at the appropriate stage.

S.MURALIDHAR, J.

I.S.MEHTA, J.

MARCH 19, 2019/sr