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

+ W.P.(C) 9121/2017

VIJAYA AGARWAL

..... Petitioner

Through: None.

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Advocates for respondents/ LAC/
L&B.

Mr. Arjun Pant, Advocate for
respondent/ DDA.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

09.10.2019

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None appears for the petitioner.

In view of the judgment of this Court in *Mool Chand v. Union of India & Ors.*, W.P.(C.) No. 4528/2015, decided on 17.01.2019 and several other decisions, we are not inclined to adjourn the matter any further.

The petitioner has preferred the present petition to seek the following reliefs:

“(a) Issue an appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction quashing and setting aside the Award bearing No. 6 C/71-72 dated 18.09.1976 made under section 11 of the Land Acquisition Act, 1894 pursuant to Notification No. 15 (III)/59-LSG, dated 13.11.1959 under Section 4 and Declaration under Section 6 of the 1894 Act vide Notification No. F.4(19)/65 L &

H, dated 17.05.1966 and restrain the Respondents from taking any steps in furtherance thereof to the extent that they concern the Petitioner's land measuring 1 Bigha 4 Biswas i.e. equal to 1200 sq. yards forming part of Khasra No. 22, situated in village Kondli, Illaqa Delhi Shahdara, within the State of Delhi;

(b) Issue an appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction declaring that the acquisition of the Petitioners' land stands lapsed in terms of Section 24 of the 2013 Act and direct the Respondent No.2 to handover vacant and peaceful possession of the Petitioner's land to her in a time-bound manner;

(c) Pass such other order or Orders which Hon'ble Court may deem fit and proper in the facts and circumstances of the case''

The notification under Section 4 of the Land Acquisition Act was issued on 13.11.1959; the declaration under Section 6 of the said Act was issued on 17.05.1966; the award was made on 18.09.1976; whereas the present petition has been filed only in October 2017. Thus, there is inordinate delay in preferring the present writ petition. We are, therefore, inclined to dismiss the petition on account of excessive delay & laches, which are not explained in the petition.

Accordingly, the petition is dismissed. The petitioner is granted liberty to file a fresh petition, if the petitioner is able to explain the delay and laches.

VIPIN SANGHI, J

SANJEEV NARULA, J

OCTOBER 09, 2019

B.S.Rohella