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

+ **W.P.(C) 9241/2015**

BALKRISHAN & ORS. Petitioner
Through Mr. Sushant Kumar, Advocate

versus

GOVT. OF NCT OF DELHI & ANR. Respondent
Through Mr. Sanjay Kumar Pathak, Mr. Sunil
Kumar Jha & Mr. M.S.Akhtar,
Advocates for Respondents
No.1/LAC/L & B/ GNCTD
Ms. Shobhna Takiar with Ms.Shivani
Jain, Advocates for Respondent/DDA

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

ORDER
% **19.03.2019**

1. The prayers in the petition read as under:

“a) Writ/ writ in the nature of Mandamus or any other order/ orders directing the Respondents to compute and pay the enhanced amount of compensation as provided under Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in respect of acquisition of land bearing Khasra Nos. 400/153, 463/263, 444/267, 464/267 and 476/266 Village Jogabai.

b) pass any other order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

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.19/92-93 was passed on 18th June, 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 *Mool Chand v. Union of India 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 a proper explanation for the inordinate delay in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The contentions of the DDA and the LAC in the respective counter affidavits are reserved to be urged at the appropriate stage.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MARCH 19, 2019

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