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

+ **W.P.(C) 9700/2017**

MRS. KESHWATI AND ORS. Petitioners
Through Mr. Vaibhav Choudhary, Advocate

versus

UNION OF INDIA ORS. Respondents
Through Ms. Saroj Bidawat, Advocate for
Respondent No.1/UOI
Mr. Yeeshu Jain & Ms. Jyoti Tyagi, Advocates for
Respondent/LAC/ L & B
Mr. Ajay Verma, Mr. G.S.Oberoi, Ms.Disha
Sachdeva & Mr. Sumit Mishra, Advocates for
Respondent/DDA
Mr. Sachin Nawani, Advocates for Respondent
Nos.3 & 5

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

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24.01.2019

1. The prayers in the petition read as under:

“i. Issue a writ of certiorari and/or any other suitable writ, order and/or direction declaring the entire acquisition proceedings in respect of and in relation to the land of the petitioners situated at Khasra no. 419 (5-11), 420 (3-5), 421(3-18) & 465(10-1), admeasuring 22 Bighas, 15 Biswa at village Ghonda, Gujran, Shahdara, Delhi to have lapsed and further issue an order or direction quashing the impugned notification no. F-15(245)/ 60, LSG/L&H dated 24.10.1961 issued under section 4 of the land acquisition act, 1894, declaration bearing no. F.4 (19) /65- L&H (iii) issued under Section 6 of the Land Acquisition Act, 1894 and award

no. 9/73-74 issued under Section 11 of the Land Acquisition Act, 1894 with respect to said land of the petitioners.

ii. And/or in the alternative issue writ of mandamus and/or any other suitable writ, order or direction directing the respondents to make the payment of compensation with rehabilitation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

iii. Issue a writ of mandamus and/or any other suitable writ, order or direction directing the respondent to correct all revenue records and other statutory documents recording the ownership and possession of the petitioner with respect to situated at Khasra no. 419 (5-11), 420 (3-5), 421(3-18) & 465(10-1), admeasuring 22 Bighas, 15 Biswa situated at village Ghonda, Gujran, Shahdara, Delhi.

iv. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the 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 24th October 1961, followed by declaration under Section 6 of the LAA on 2nd September, 1966. The impugned Award No.1954 was passed in the year 1973-74. There is no explanation in the petition for the inordinate delay in approaching the Court for relief.

3. This Court has in the series of orders following the judgment of the Supreme Court in *Mahavir v. Union of India (2018) 3 SCC 588* dismissing 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.

S.MURALIDHAR, J

SANJEEV NARULA, J

JANUARY 24, 2019
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