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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11191/2017**

SHAKUNTALA DEVI

..... Petitioner

Through: Mr.Paritosh Tomar, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr.Sanjay K.Pathak with
Ms.K.K.Kiran Pathak, Advocates for
R1 & R2.
Mr.Ajay Verma, SSC for DDA with
Ms.Sapna Chauhan, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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16.04.2019

1. The prayers in the petition read as under:

“a) issue appropriate writ, order, direction in the nature of writ of certiorari to quash and set aside Public Notice dated 21 Nov 2012 and notification dt 04 Jul 2017 issued by the Government of NCT of Delhi through the Respondent No 2 Land Acquisition Collector, New Delhi pursuant to Notification bearing No F 9(12)/95/L86B/LA/9743 dated 27 Jun 1996 since more than one year has passed and no declaration under section 6 of the Old Act could be made; and

b) To declare proceedings initiated by DDA under Section 5 A of the Land Acquisition Act, as non-est in the eyes of law at this belated stage as invocation of emergency clause has become a farce ; and

c) to declare that the land acquisition proceedings initiated in respect of the Khasra Number 1167 (2-08)as described in GPA stands lapsed under Section 24(2) of the New Act.”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 27th June 1996, followed by declaration under Section 6 of the LAA on 4th July 2017. The impugned Award No.02/98-99/SW was passed on 7th January 1999. 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 including *Mool Chandv. 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 in the Petitioner approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for. The interim order passed by this Court on 15th December 2017 which stood confirmed on 23rd January 2018 is hereby vacated. The points urged in the counter affidavit of the LAC are left open to be raised at the appropriate stage.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 16, 2019/tr