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

\+ W.P.(C) 11277/2017

SH. SHIV CHARAN SINGH

..... Petitioner

Through: Mr. Ghanshayam Mishra with MR. Rajesh Mishra, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondent

Through: Mr. Sachin Nawani, Adv. for R-1 and R-2.
Mr. Ajay Verma, Adv. for DDA.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 06.11.2019

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

> *"a) issue a Writ, order or declaration declaring entire acquisition proceedings i.e. Section 4 notification dated 13.11.1959, section 6 declaration dated 14.06.1966 and award No. 54-A OF 1969-70 DATED 15.01.1971 in respect of the land of the Petitioner falling in Khasra No.530 further by furcated 5061/530/1 admeasuring 3 Bighas 9 Biswas situated in the Revenue Estate of Village Karkardooma, Delhi have lapsed in view of sub section 2 of the section 24 of "THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND*

ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013"; and
b) issue a writ of mandamus directing the respondents not to in any manner whatsoever; interfere with the peaceful enjoyment and possession of the said lands presently in possession and occupation of the Petitioner; and
c) pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

We find that the present petition is grossly barred by delay and latches, inasmuch as, 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 14.06.1966; the award was rendered on 15.01.1971 and the petition has been preferred only upon the enactment of The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and resettlement Act 2013 on or about 08.12.2017.

Learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to file afresh after incorporating the justification for such delay.

Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

NOVEMBER 06, 2019
N.Khanna