

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 11538/2017

Through: Mr. Kapil Madan, Advocate

UNION OF INDIA AND ORS. Respondents

Through: Mr. Sushil Kr. Pandey, Senior Counsel with Ms. Neha Sharma, Advocate for R-1.
Ms. Shobhana Takiar, Advocate for DMRC.
Mr. Yeeshu Jain and Ms. Jyoti Tyagi, Advocates for LAC/L&B.
Mr. Pramod Kumar, Advocate for R-3.
Mr. Rohan Jain, Proxy Counsel for Mr. Giriraj Subramaniam, Advocate for DDA.

ORDER
09.01.2019

“a. pass a writ, order or direction in the nature of a writ of

Mandamus (or any other writ) directing the Respondents to determine and pay compensation as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in respect of the Acquisition of the land bearing 400 Sq Yds OF B 11/96 Mohan Corporative Industrial Estate, Badarpur Mathura Road, New Delhi to the Petitioner.”

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 (‘LAA’) was issued on 7th January 2008 and a declaration under Section 6 was issued on 29th February 2008. A notification under Section 17 of LAA was issued on 29th February 2008 for acquiring the land invoking the urgency clause. The Award was passed on 25th February 2010.

3. It has been pointed out by the learned counsel for the Respondents that since the Award was passed on 25th February 2010 under Section 11 of (LAA), the Petitioner would be entitled to appear before the Land Acquisition Collector (LAC) and in terms of Section 24 (1) (b) of the 2013 Act and demonstrate why he should be paid compensation.

4. In that view of the matter, the Petitioner through its authorised representative is directed to appear before the LAC South East on 11th February 2019 at 3:30 PM with the relevant records and the necessary order thereafter be passed by the LAC as expeditiously as possible, preferably within four weeks thereafter. If the Petitioner is aggrieved by the order passed by the LAC, it will be open to it to seek appropriate remedies in accordance with law.

5. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 09, 2019

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