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

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W.P.(C) 11174/2015

SATYA & ORS.

..... Petitioners

Through: Mr Arun Kumar Kaushik, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr Rakesh Kumar, CGSC for UOI.

Mr Arjun Pant, Advocate for DDA.

Mr. Yeeshu Jain with Ms. Jyoti Tyagi, Advocates for LAC/L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

19.07.2019

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1. The prayers in the petition read as under:

“a. Pass a writ, order or direction in the nature of writ of declaration, thereby declaring the acquisition proceedings initiated in respect of the land of the petitioners with respect to their land i.e. 7/8 joint share in Khasra No. 187 (4-16), 188 (5-15), 189 (2-19), 190 (4-16), 191/2 (1-00), 196 (4-16), 197/2 (1-02), 264 (2-12), 304/1(4-10), 309 (4-16), 310 (1-12) Total Measuring 38 Bighas 14 Biswas, situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, Delhi, as deemed to have lapsed in view of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013; and issue order or direction quashing the impugned notification No. F.4(9)/64 L&H Dated 06.04.64 issued under section 4, notification No. F.4(9)/1964/L&H Dated 07.12.1966 issued under section-6 of the Land Acquisition Act, 1894 and the Award No. 205/1986-87 of village Kotla Mahigram, Tehsil Mehrauli, Delhi.

b. Further pass a writ, order or direction in the nature of a writ of mandamus thereby directing the respondents not to interfere with the

peaceful possession and enjoyment of the land of the petitioners 7/8 share in Khasra No. 187 (4-16), 188 (5-15), 189 (2-19), 190 (4-16), 191/2 (1-00), 196 (4-16), 197/2 (1-02), 264 (2-12), 304/1(4-10), 309 (4-16), 310 (1-12) Total Measuring 38 Bighas 14 Biswas, situated in the revenue estate of Village Kotla Mahigram, Tehsil-Mehrauli, Delhi,”

2. The narration in the petition reveals that notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 6th April 1964, followed by declaration under Section 6 LAA on 7th December 1966. The impugned Award No. 205/1986-87 was passed in 1986-87. 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]* 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 Petitioners seeks liberty to withdraw this petition with liberty to file a fresh petition giving a proper explanation for inordinate delay in the Petitioners approaching the Court for relief.

5. The petition is dismissed as withdrawn with liberty prayed for.

6. The interim order passed by this Court on 4th December 2015 which stood confirmed on 30th November 2017 hereby stands vacated. The points urged

in the counter affidavits of the Respondents are left open to be raised at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

JULY 19, 2019/*rd*