

\$~Suppl.-26

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

+ **W.P.(C) 4000/2021**

VIRENDER KUMAR

..... Petitioner

Through: Mr. Santosh Chaurasia with Ms.
Ananya Roy, Advocates along with
Petitioner in person.

versus

UNION OF INDIA

..... Respondent

Through: Mr. Yeeshu Jain with Ms. Jyoti
Tyagi, Advocates.

%

Date of Decision: 25th March, 2021

CORAM:

**HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MS. JUSTICE ASHA MENON**

J U D G M E N T

MANMOHAN, J (Oral):

CM APPL.12077/2021

Exemption allowed, subject to all just exceptions.

Accordingly, present application stands disposed of.

W.P.(C) 4000/2021

1. Present writ petition has been filed challenging the order dated 24th August, 2020 passed by respondent-Land Acquisition Collector (North)

whereby the proceedings in petitioner's pending application under Section 28A of LA Act for re-determination of compensation has been adjourned sine die.

2. Petitioner seeks a direction to the respondent to decide the said application for re-determination of compensation of land comprised in Khasra No. 20/2 (1-01) and 20/3 (3-12) in all measuring 4 bighas 13 biswas situated in the revenue estate of village Holambi Kalan, Delhi, in a timely manner.

3. Learned counsel for the petitioner states that LAC failed to appreciate that the petitioner's application under Section 28A was within the limitation as it was filed on 08th May, 2019 i.e. immediately after the order dated 12th April, 2019 passed by the ADJ (North) Rohini wherein the court, had fixed the rate of land @ Rs 19,43,500/-. According to him, the petitioner's case is covered by this order.

4. Per *contra* learned counsel for the respondent, who appears on advance notice, states that learned Single Judge of this Court in LA. APP. 215/2018 has directed stay of disbursement of the amount to the petitioner and the matter is still pending.

5. Keeping in view the aforesaid, the present writ petition is disposed of with a direction to the LAC/North to decide the petitioner's pending application under Section 28A of the Land Acquisition Act, 1894 within twelve weeks. However, the enhanced compensation, if any, shall not be released to the petitioner till the learned Single Judge in LA. APP. 215/2018 so directs/orders.

6. This Court clarifies that it has not expressed any opinion on the merits of the application to be filed under Section 28A. All the rights and contentions of the parties are left open.

MANMOHAN, J

ASHA MENON, J

MARCH 25, 2021
AS

