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

+ **LPA 334/2024 & C.M.Nos.24202-24204/2024**

DELHI DEVELOPMENT AUTHORITY Appellant

Through: Ms.Manika Tripathy, standing
counsel for DDA with Mr.Ashutosh
Kaushik, Mr.Rony John and
Mr.Aishwary Jaiswal, Advocates.

versus

NISHA KHURANA AND ORS Respondents

Through: None

+ **LPA 335/2024 & C.M.Nos.24206-24209/2024**

DELHI DEVELOPMENT AUTHORITY Appellant

Through: Ms.Manika Tripathy, standing
counsel for DDA with Mr.Ashutosh
Kaushik, Mr.Rony John and
Mr.Aishwary Jaiswal, Advocates.

versus

RAJKUMAR KHURANA AND ORS Respondents

Through: None

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Date of Decision: 26th April, 2024

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

JUDGMENT

MANMOHAN, ACJ: (ORAL)

1. Present appeals have been filed challenging the judgments dated 28th August, 2019 passed by the learned Single Judge of this Court in W.P.(C) 10072/2016 and W.P.(C) 10070/2016, whereby the writ petitions filed by



the respondents were allowed and the orders dated 17th July, 2012 passed by the Court of Revenue Assistant (Najafgarh) under Section 81 of the Delhi Land Reforms Act, 1954 (“DLR Act”) and subsequent orders upholding the orders dated 17th July, 2012 were set aside on the ground of limitation and that pursuant to the passing of the Zonal plan by DDA, the land in question ceased to be an “agricultural land” under Section 3(13) of the DLR Act.

2. Learned counsel for the appellant/DDA states that violation of the DLR Act took place prior to the land being notified as urban area and the notification of the zonal development plan. She contends that the orders dated 17th July, 2012 continue to be legal and valid.

3. A perusal of the paper books reveal that there is more than sixteen hundred (1600) days delay each in filing the appeals.

4. At this stage, learned counsel for the appellant/DDA states that quite a substantial period of this delay is covered by Covid-19 pandemic. However this Court finds that the impugned judgments had been rendered nearly five months prior to the onset of Covid-19 pandemic. Further even if Covid-19 pandemic limitation period is excluded, the clock would again start running from 1st March, 2022.

5. Consequently, the present appeals are dismissed along with the applications on the ground of delay and laches. However, the issue of law is left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

APRIL 26, 2024/KA