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

+ LPA 363/2024 & C.M.Nos.26941-26944/2024

DELHI DEVELOPMENT AUTHORITY Appellant

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

versus

MRS. SAROJ BALA KHURANA AND ORS Respondents

Through: Mr.Atul Nigam with Ms.Tanvi
Nigam, Advocates for R-1.
Ms.Aditi Kapoor, Advocate for R-2,
3, 4 & 5.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **07.05.2024**

1. Present appeal has been filed challenging the judgment dated 28th August, 2019 passed by the learned Single Judge of this Court in W.P.(C) 10071/2019, whereby the writ petition filed by the respondent no. 1 was allowed and the order 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 order 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 Sec. 3(13) of the DLR Act.



2. Learned counsel for the appellant 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 order dated 17th July, 2012 continues to be legal and valid.
3. A perusal of the paper book reveals that there is a delay of 1642 days in filing and 52 days delay in re-filing the appeal.
4. At this stage, learned counsel for the appellant/DDA states that quite a substantial period of this delay is covered by the Covid-19 pandemic. However, this Court finds that the impugned judgment 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 appeal is 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

**MAY 7, 2024
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