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

% Judgment delivered on: 29.05.2024

+ **W.P.(C) 13999/2023****DEEPAK SHOKEEN AND ORS** Petitioner

versus

ADM(SOUTHWEST)/LAND ACQUISITION COLLECTOR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Sunil Chauhan, Advocate

For the Respondent : Mr. Sunil Kumar Jha, Mr. M.S. Akhtar,
Ms. Nidhi Thakur, Mr. Mayank Arora
and Mr. Mayank Madhu, Advocates for
R-1/LAC**CORAM:****HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]****CM APPL. 33189/2024**

1. This is an application under Section 151 CPC, 1908 filed on behalf of the applicants/petitioners seeking early hearing and disposal of the writ petition.

2. For the reasons stated therein, the application is allowed.

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3. With the consent of parties, the petition is being taken up today



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for hearing and disposal.

4. The petitioners by way of present writ petition had sought a simple direction to the respondent for disposing of the claim petitions filed by the petitioners in accordance with law and/or refer the claims of the petitioners to the Principal Civil Court for adjudication in accordance with law.

5. As noted in the order dated 31.01.2024, Mr. Sunil Chauhan, learned counsel appearing for the petitioner had submitted that the petitioners would be satisfied in case this writ petition was treated as a representation to the ADM South-West/Land Requisition Collector for referring the matter under Section 3H of the National Highways Act, 1956.

6. On the said date, Mr. Sunil Kumar Jha, learned counsel appearing for the respondent sought a short accommodation to take instructions.

7. Today Mr. Jha, learned counsel on behalf of the respondent appears and submits that respondents have no objection in case the innocuous prayer sought by the petitioners is allowed.

8. In view of the aforesaid submissions, the writ petition, to the extent of prayer sought on 31.01.2024 by the petitioners, stands allowed. The ADM South West/Land Requisition Collector shall treat the present writ petition as a representation under Section 3H of the National Highways Act, 1956 and dispose of the same in accordance with law.

9. The petitioners shall be afforded an opportunity of hearing by the aforesaid Authority. The petitioners shall also be afforded to place on record the additional documents in support of their contentions. The date, time and venue for the personal hearing of the petitioners shall be



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communicated to the petitioners well in advance.

10. The representation shall be disposed of with a speaking order within a period of six weeks from today. The order so passed shall be communicated to the petitioner within one week from the date of passing of the said order.

11. It goes without saying that the petitioners shall be entitled to, should the need arises, challenge the same in accordance with law.

12. With the aforesaid directions, the present petition is disposed of with no order as to costs.

13. The date already fixed, i.e., 05.11.2024 stands cancelled.

TUSHAR RAO GEDELA, J

MAY 29, 2024

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