



\$~30

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

+ LPA 671/2024 & C.M.Nos.41814-41815/2024

KRISHNA PADA MISTRY

.....Appellant

Through: Ms.Gulshan Jahan with Mr.Surya
Kamal Mishra, Advocates with
Mr.Sukharanjan Mistry, AR.

versus

UNION OF INDIA

.....Respondent

Through: Mr.Anuj Chaturvedi, Advocate for
UOI (Through VC)

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

%

25.07.2024

1. Present appeal has been filed by the appellant challenging the order dated 30th May, 2024 passed by the learned Single Judge of this Court in WP(C) 8033/2024 whereby the writ petition filed by the appellant was held to be barred by laches.
2. Learned counsel for the appellant states that it is not a case where the appellant had deliberately and intentionally not approached the Court for almost thirty two (32) years. She contends that the delay was only due to his illiteracy and the good faith he had in the authorities.
3. The learned Single Judge while dismissing the writ petition has held that the appellant-petitioner (therein) has challenged the communications dated 04th February, 1983, 07th October, 1985 and 13th January, 1989, wherein it was held that the petitioner was not eligible for the settlement benefits under the Dandakaranya project. The reasons given before the



learned Single Judge as well as before this Court for condonation of delay in filing the writ petition are untenable in law.

4. In any event, as the Scheme under which the appellant seeks re-settlement has closed, this Court is in agreement with the view of the learned Single Judge that a writ cannot be issued in favour of the petitioner-appellant.

5. Accordingly, the present appeal, being bereft of merits, is dismissed along with the applications.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 25, 2024
KA