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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11714/2024

SALMAN QURESHI

.....Petitioner

Through: Mr. Haji Mohammad Iqbal, Mr. Mohd Faizan, and Mr Prajwal Chaturvedi, Advocates with petitioner.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr Arjun Pant, Advocate and Mr Rahul, Legal Assistant for DDA.
Mr Manu Chaturvedi, SC, Ms Devika Roy Chaudhary, Advocate for MCD.
Mr Parvinder Chauhan, Advocate for DUSIB.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

23.08.2024

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1. The petitioner has filed the present petition with the following prayers:-

“i. Issue court notices / summons to the respondents.

ii. Issue directions to respondent no.4 seeking complete report of Government policy planning and projection of acquired land along with complete report of acquisition proceeding and action taken to the last, regarding Shadi Khampur Raya land.

iii. Issue a writ of mandamus or any other appropriate writ (s), order (s), direction (s) in favours of the general public specially in favour of the petitioner and against the respondents,



specifically respondent no.4 to take immediate and necessary step to release the retained award, compensation of rightful persons at present market price of West Delhi or and at least return back the possession of acquired land to the petitioner and to any other persons whose land is acquired, but their award money is yet not paid or handover to them or to their rightful, entitle legal representatives, after going through the reports.”

2. The petitioner claims that his grandfather – Fateh Mohammad s/o Mohammad Bux was the owner of the agricultural land admeasuring eight bighas in Khasra Nos. 505/658-659, Moza Kampur Village, Khampur Raya, Delhi (hereafter *the subject land*). According to the petitioner, the subject land was acquired by his grandfather in the year 1937 by a registered sale deed.
3. The petitioner states that the Ministry of Rehabilitation, Central Government and Improvement Trust had acquired the subject land under the Land Acquisition Act, 1894 (LA Act), in terms of the award No.876-884/1949 dated 09.11.1949.
4. The petitioner states that his grandfather expired on 12.02.1980.
5. The petitioner states that sometime in the year 2017, his father by chance got a dim copy of the sale deed and thereafter, procured a certified copy of the sale deed dated 22.09.1937 from the Archives Department of the Sub-Registrar, Delhi. He then moved RTI application with the relevant departments for further information and also approached the Central Information Commission (hereafter *the CIC*) for the purpose of getting award money or for returning the acquired subject land.
6. The petitioner also sought municipal numbers of the properties, residents, occupants of the houses of the inhabited land as well as the details



of the municipal numbers for the purpose of identification of the subject land. He also sought complete information of land acquisition, notification, services, appeals, objections and information considered for passing of the award No.876-884/1949 dated 09.11.1949.

7. The petitioner also filed an appeal under the Right to Information Act, 2005 before the CIC on account of non-provision of such information and secured an order dated 21.01.2021.

8. It is the stand of the public authorities that all information available in their possession has been furnished to the petitioner. Notwithstanding, the said statement, the learned CIC also directed the Public Information Officers of various public authorities to file the relevant affidavit stating that all information sought by the petitioner had been made available to the petitioner.

9. The petitioner, now claims that his grandfather did not receive any compensation of the acquired subject land, and therefore, prays that the amount as set out in the aforementioned Award be released to the petitioner.

10. It is apparent that the present petition is hopelessly barred by limitation. Admittedly, the grandfather of the petitioner was alive till 12.02.1980 and according to the petitioner, was the recorded owner of the subject land. He did not in his lifetime take any steps to recover the awarded amount.

11. It is also apparent that the present petition is a speculative one where the petitioner has a little knowledge as to what was transpired during the relevant period. It is also apparent from the response to the notices issued to information officers of the concerned departments that all the records are not readily available.

12. In view of the above, we do not consider it apposite to entertain the



present petition. The same is, accordingly, dismissed.

VIBHU BAKHRU, J

SACHIN DATTA, J

AUGUST 23, 2024

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Click here to check corrigendum, if any