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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12187/2024

RAJENDER SHARMA

.....Petitioner

Through: Mr. Arvind Sharma, Adv.

versus

UNION OF INDIA THROUGH LAND

ACQUISITION COLLECTOR

.....Respondent

Through: Mr. Sanjay Kumar Pathak,
Standing Counsel with Mr.
Sunil Kumar Jha, Mr. M.S.
Akhtar, Ms. Musarrat Benazeer
Hasmi, Mr. Mayank Madhu and
Mr. Sami Sameer Siddiqui,
Advs.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

30.09.2024

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1. We had on 23 September 2024, after hearing counsels for respective sides, passed the following order:

“1. The petitioner has filed the present petition, inter-alia, praying that his application under Section IS and 28 A of the Land Acquisition Act, 1894 (hereafter the LA Act) be considered by the LAC.

2. On 02.09.2024, Mr. Pathak, learned counsel appearing for the respondent had taken time to take instructions in regard to the petitioner's prayer. He, now, submits that at the first instance, it would be necessary for LAC to decide the petitioner's application.

3. A Coordinate Bench of this Court had, by an order dated 15.12.2021 issued the directions to the LAC to itself examine the petitioner's application under Section 28 A of the LA Act. The relevant extract of the said order reads as under:

“We have heard learned counsels on both the applications. It is clarified that by the impugned order dated 29.03.2016, the application of the petitioner under Section 28 A of the Land



Acquisition Act, 1894 had been 'filed' by him. The direction issued to the LAC Shahdara is modified to read that he shall himself examine the application of the petitioner under Section 28 A of the Land Acquisition Act in the first instance.”

4. In view of the aforesaid, Mr. Pathak, the learned counsel appearing for the respondent, again seeks time to take instructions in this regard.

5. List on 24.09.2024.”

2. The solitary grievance of the writ petitioner is with respect to the non-consideration and disposal of its application under Sections 18 and 28A of the Land Acquisition Act, 1894.

3. Learned counsel appearing for the respondent states that subject to verification of all facts and contentions on merits being open, the said application shall be duly examined and an appropriate order disposing of the same passed in accordance with law. He further submits that the aforesaid exercise shall be completed with due expedition and preferably within a period of eight weeks from today. The statement so made is recorded and accepted.

4. The writ petition stands disposed of on the aforesaid terms.

YASHWANT VARMA, J

RAVINDER DUDEJA, J

SEPTEMBER 30, 2024

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