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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8784/2018 CM APPL 24297/2024**

SHRI PREM SINGH AND ORS.

..... Petitioners

Through: Mr. Rajiv Kumar Ghawana and Mr.
Neelaksh Sharma, Advocates

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Ms. Zehra Khan, Advocate for R-
1/GNCTD

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

26.04.2024

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1. The petitioner has filed the above captioned petition *inter alia* praying that an order be passed declaring that the acquisition of the subject land (land comprised in Khasra nos. 7/22, 7/23/2, 28/15/1 admeasuring 522 sq. yards out of the total 8 bigha 9 biswa situated in the Revenue Estate of Village Saidabad, New Delhi) has lapsed by virtue of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [hereinafter *the Act*].

2. The petitioner's case is founded on the basis that although the possession of the subject land was taken over, no compensation was paid. The same was noted in the order dated 21.08.2018.

3. The learned counsel appearing for the petitioner states that in view of the subsequent decision of the Supreme Court in *Indore Development Authority v. Mohan Lal and Anr.*, 2020 (8) SCC 129, the petitioner's case



that the acquisition has lapsed does not survive. This is because in terms of the said decision, both the conditions as stipulated in Section 24(2) of the new Act (possession of the subject land has not been taken over and compensation has not been paid) are required to be cumulatively satisfied.

4. In view of the above, the petition is dismissed as withdrawn. All rights and contentions of the petitioner to avail other remedies as may be available, are reserved. The pending applications stand closed.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

APRIL 26, 2024

g.joshi

Click here to check corrigendum, if any