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

+ W.P.(C) 983/2022

DHAN SINGH

.....Petitioner

Through: Mr. Rajan Sharma & Mr. R.B Singh,
Advocates

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Rajneesh Sharma, Advocate for
R1 & 2(LAC/L&B)
Ms. Shobhana Takiar, SC for DDA
with Mr. Kuljeet Singh, Advocate for
R3/DDA

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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21.02.2025

1. The petitioner has filed the present petition, *inter alia*, praying as under:

“(i) Issue Writ of Mandamus and/or any other appropriate suitable writ(s), order(s) and/or direction(s) to the respondents to pay the compensation amount in lieu of the acquired land bearing khasra no. 447/262 (6-05) situated in the revenue estate of village Jogabai, New Delhi, to the extent of their respective shares acquired vide award no. 7/1999-00 of village Jogabai, New Delhi in accordance with law to the petitioner before raising any permanent structure/road or any other kind of set up of permanent nature.”

2. The petitioner claims that he is the owner/ has interest in land comprising in Khasra No. 447/262 (6-05) situated in the revenue estate of



village Jogabai, New Delhi (hereafter *the subject land*).

3. A Notification under Section 4 of the Land Acquisition Act, 1894 (hereafter *the LA Act*) for acquisition of lands in village Jogabai including the subject land for the purposes of construction of Channelization of Yamuna River under the planned development, was issued on 23.06.1989.

4. The Notification was followed by a declaration dated 22.06.1990 under Section 6 of the LA Act and thereafter, an award being Award No. 19/1992-93 was published on 19.06.1992.

5. The aforesaid lands situated in the revenue estate of village Jogabai were renotified under Section 4 of the LA Act on 20.04.1998 for the construction of Delhi – Noida Bridge Project.

6. The declaration under Sections 6 and 17 of the LA Act was also published on the same date, that is on 20.04.1998. Thereafter, an award dated 31.03.2000 [being Award No. 7/1999-2000] was passed under Section 11 of the LA Act, in respect of certain lands including the subject land. The Land Acquisition Collector (LAC) determined the market value lands covered under the Award at ₹3,60,000/- per acre.

7. The petitioner claims that the possession of the land acquired in terms the Notification under Section 4 of the LA Act, excluding the subject land, was taken over on 11.01.2002, 19.11.2012, 13.06.2013 and 31.12.2013.

8. The petitioner claims that no compensation was paid to the petitioner despite several visits and written applications to the concerned officials of the LAC. The petitioner, on 24.09.2012, had issued a legal notice to the respondents, demanding the payment of compensation in lieu of the acquired land or in alternative seeking de-notification of the subject land under Section 48(2) of the LA Act. The petitioner had also filed an application



dated 09.09.2021 and 04.10.2021 requesting for release of compensation as the possession of the subject land was already taken over but respondents no.1 & 2 have not paid any amount in lieu of the land acquired till date.

9. The learned counsel appearing for the LAC states that the compensation due to the petitioner will be paid in accordance with law, subject to the necessary verification within a period of three months. Respondent no. 1 is bound down to the said statement.

10. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

TEJAS KARIA, J

FEBRUARY 21, 2025/tr

[Click here to check corrigendum, if any](#)