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

+ **W.P.(C) 1109/2025**

PRADEEP GUPTA & ORS.

.....Petitioners

Through: Mr. S. K. Rout, Ms. Dimple Dhamija,
Mr. Aman Mehrotra, Mr. Rahul
Kumar, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Sanjay Kumar Pathak, Ms. K. K.
Kiran Pathak, Mr. Sunil Kumar Jha,
Mr. Mayank Madhu, Mr. Sami
Sameer Siddique, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

03.03.2025

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1. The petitioners have filed the present petition, *inter alia*, praying as under:

“a) allow the present Writ Petition and direct the Respondent/Land Acquisition Collector to forward the reference petitions under section 18 of the LA Act filed by the petitioner on 27.06.2023 to the concerned court of Ld. ADJ at the earliest for adjudication, in the interest of justice.”

2. The petitioners state that prior to filing an application on 27.06.2023, the petitioners had filed a similar application on 26.12.2022 seeking a reference under Section 18 of the Land Acquisition Act, 1894 (hereafter *the LA Act*). The subsequent application dated 27.06.2023 was in the nature of a reminder to forward the application made earlier.



3. Petitioner nos.1 and 2 are sons of late Sh. Sat Prakash Gupta and petitioner no. 3 is the daughter of late Sh. Sat Prakash Gupta. The petitioners state that they are the only legal heirs of late Sh. Sat Prakash Gupta. Their mother, Smt. Sheela Devi, who has since deceased, was the recorded owner of the property comprising Khasra No.1135/320/306/1 admeasuring 505.84 square meters (hereafter *the subject land*) located in the revenue estate of village Jhilmil Tahirpur.

4. The subject land was acquired in terms of Award No.1/2008-09 made under Section 11 of the LA Act. It is stated that the possession of the subject land was also taken over by the LAC. Since there was a dispute as to the title of the subject land, a reference under Section 30/31 of the LA Act was forwarded to the court of the learned ADJ for adjudication.

5. The mother of the petitioners (Smt. Sheela Devi, who since expired) was arrayed as interested person no.2. The said proceedings (*Union of India v. Inder Narayan and Others: LAC No.05/2020*) culminated in a judgment dated 28.11.2022 whereby the petitioners were held entitled to the share of late Smt. Sheela Devi. Thereafter, the petitioners filed an application for a reference under Section 18 of the LA Act and requested that the same be forwarded to the concerned court. Undisputedly, the said application was made within the time as prescribed as it was made within a period of 42 days of the judgment dated 28.11.2022. (Reference: ***Raja Harish Chandra Raj Singh v. Deputy Land Acquisition Officer & Anr.: 1961 SCC OnLine SC 140*** and ***Madan and Anr. v. State of Maharashtra: (2014) 2 SCC 720***)

6. In view of the above, the petition is allowed and the LAC is directed



to forward the reference of the petitioners to the concerned court as expeditiously as possible and preferably within a period of six weeks from date.

7. The petitioners shall forthwith forward the complete address of the petitioners to the LAC.

VIBHU BAKHRU, J

TEJAS KARIA, J

MARCH 03, 2025

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