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

+ W.P.(C) 8425/2024

SURESH AND OTHERS

.....Petitioners

Through: Mr. Rajesh Pandey, Advocate
versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel, Mr. Sunil Kumar Jha, Mr.
M.S. Akhtar, Mr. Mayank Madhu and
Mr. Sami Sameer Siddique,
Advocates for R-1.

Mr. Shobhana Takiar, Standing
Counsel for DDA with Mr. Kuljeet
Singh, Mr. Prateek Dhir and Mr.
Shivam Takiar, Advocates for R-2.

Mr. Arjun Natarajan, Ms. Kamana
Pradhan and Ms. Neha Chopra, Advs.
For DMRC.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

17.01.2025

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1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of the petitioner seeking the following reliefs:

“(a) issue a writ, order or direction inter-Alia being a writ in the nature of mandamus thereby directing the respondent no.3 to handover the possession of vacant part of Land bearing khasra no.319-1 min (3.0), khatauni no.83/78, Village Ghazipur, Delhi, which was acquired by respondent no.2, arbitrarily and still lying vacant;

(b) or direct the respondent no.3 to fairly compensate the petitioners, legal heirs of Lt. Sh. Lekhi Ram in lieu of acquisition of aforesaid part of land bearing khasra no.319-1



min (3.0), khatauni no.83/78, Village Ghazipur, Delhi.

(c) And directing the respondent no.1 to fairly compensate the petitioners adequately, as per prevailing present rates for the said acquired land.

(d) Pass any other further order as this Hon'ble Court deems just and proper in the fact and circumstances of the present case, in the interest of justice."

2. Learned counsel appearing on behalf of the respondents vehemently opposed the instant petition and submitted to the effect that the petitioner had failed to provide requisite particulars and documents for proper adjudication and verification of the claim as prayed in the instant petition. Therefore, it is submitted that the instant petition is nothing but a gross misuse of process of law and therefore, the same may be dismissed.

3. At this juncture, the learned counsel for the petitioners, on instructions, prayed for leave to withdraw the instant petition with liberty to file the same afresh while giving an undertaking to disclose therein all the requisite particulars and documents in accordance with law.

4. Heard learned counsel for the parties.

5. This Court has taken into consideration the undertaking given by the learned counsel appearing on behalf of the petitioners and accordingly, the leave is granted with liberty as prayed for.

6. Accordingly, the instant petition is dismissed as withdrawn with liberty as prayed for.

CHANDRA DHARI SINGH, J

ANOOP KUMAR MENDIRATTA, J

JANUARY 17, 2025/Rk/mk

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