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

+ **W.P.(C) 9331/2025 & CM APPL. 39433/2025**

BAL KISHAN (DECEASED) THR LRSPetitioner

Through: Mr. Rizwan and Mr. Samarth Sharma,
Advocates.

versus

GOVT OF NCT DELHI & ORSRespondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha,
Ms. K. Kaomudi Kiran Pathak, Mr.
M.S. Akhtar and Mr. Divakar Kapil,
Advocates for R-1 & 2.

Ms. Prabhsahay Kaur, Standing
Counsel with Ms. Harshita Rai and
Ms. Sana Parveen, Advocates for R-
3/DDA.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **08.07.2025**

1. Heard the learned counsel for petitioner and Mr. Sanjay Kumar Pathak, learned counsel for respondent nos.1 and 2, as also Ms. Prabhsahay Kaur, learned Standing Counsel for respondent No.3/Delhi Development Authority (DDA).

2. This petition has been filed with a prayer to direct respondents to pay compensation in respect of acquisition of land comprised in *Khasra No. 446, admeasuring 645 square yards, which forms part of a larger parcel measuring 4 bighas and 9 biswas, situated within the Revenue Estate of Village Jasola, New Delhi*, in accordance with the provisions of the ***Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013***.



3. The requisite notification under Sections 4 and 6 of the ***Land Acquisition Act 1894***, concerning the land in question, were issued on 23.06.1989 and, accordingly, an award was also declared on 18.06.1992.
4. Petitioner is stated to hold an Assignment Deed said to have been executed by the alleged owner of the land in question. The Assignment Deed is stated to have been executed on 20.12.2005.
5. Claiming benefit under Section 24(2) of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013*, a Writ Petition (***W.P.(C)1295/2017***) was filed by petitioner, which was allowed by means of judgment and order dated 16.08.2017 passed by the Coordinate Bench of this Court.
6. However, the said judgment was assailed by Delhi Development Authority, before the Hon'ble Supreme Court, wherein order dated 16.08.2017 was set aside by the Supreme Court, by means of order dated 24.03.2023 in ***Special Leave Petition (Civil) No.5903/2023***.
7. Petitioner then instituted ***W.P.(C) No. 4242/2025*** before this Court, seeking a direction to the respondents to restore land in question and further to demolish certain constructions which had come up thereon.
8. The said petition, however, was dismissed by this Court by means of judgment and order dated 03.04.2025. While passing the judgment dated 03.04.2025, this Court observed that from a perusal of the Assignment Deed dated 20.12.2005, it appears that the *assignment in favour of petitioner is only qua the compensation and not the title or possession of the said land*.
9. Petitioner, then challenged the order dated 03.04.2025 passed by this Court before the Hon'ble Supreme Court, but by means of order dated 13.05.2025 the ***Special Leave to Appeal (Civil) No.12664/2025*** filed was



dismissed

10. Relying on the said observations made by the Court on 03.04.2005, the instant petition has been filed. However, the fact remains that whether petitioner is entitled to seek compensation or not is yet to be determined by the Competent Authority, which, as suggested by learned counsel representing the Land Acquisition Collector, is the Land Acquisition Collector (LAC) concerned.

11. Accordingly, without expressing any opinion to the claim of respective parties, we permit petitioner to approach the concerned Land Acquisition Collector with the prayer made in this petition and for redressal of his grievances, within a fortnight from today.

12. In case petitioner approaches the concerned Land Acquisition Collector, the prayer of petitioner shall be considered and decided in accordance with law, and on the basis of relevant revenue records, by the Land Acquisition Collector, within a period of three months from the date any such application pursuant to this order is made.

13. The writ petition stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

ANISH DAYAL, J

JULY 8, 2025/kct