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

+ **W.P.(C) 10098/2024 & CM APPL. 41375/2024**

SH. MEHAR SINGH & ORS.Petitioners

Through: **Mr. S K Sangwan & Ms. Bhawna
Tomar, Advocates**

versus

GOVT. OF NCT OF DELHI & ANR.Respondents

Through: **Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha,
Mrs.K K Kiran Pathak and Mr.
Divakar Kapil, Advs. for R-1 & 2.
Ms. Manika Tripathy, Standing
Counsel for R-DDA with Mr.
Ashutosh Kaushik, Adv.**

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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07.11.2025

CM APPL. 57925/2025 (seeking impleadment of DDA as respondent)

1. This is an application under Order I Rule 10 of the Code of Civil Procedure ('CPC') on behalf of the petitioner seeking impleadment of the Delhi Development Authority ('DDA') as respondent.
2. Since the application is not pressed and a request for withdrawal of the present application is made, the present application stands dismissed as withdrawn.

W.P.(C) 10098/2024

1. Heard.



2. Prayer in the petition is for declaration of the acquisition proceedings in regard the land *Khasra No. 37/2 (4-6), 37/9 (4-6), 37/12 (3-0) at Village Bakkarwala, Delhi total measuring 11 bigha 12 biswa*. The acquisition has lapsed for want of payment of compensation, as also that of the possession pursuant to the enactment of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('Act of 2013')*.

3. This Court, after having issued notice, called upon respondents to file their response. The affidavit filed on behalf of respondent nos.1 & 2 has been duly sworn by the Additional District Magistrate cum Land Acquisition Collector (West). In *paragraph 11*, the following has been stated:

“That as regards possession and compensation it is humbly submitted that as per records available in the LAC office the possession of the land comprised in Khasra No. Khasra No. 37/2 (4-6), 37/9 (4-6), 37/12 (3-0) at Village Bakkarwala, Delhi could not be taken due to built up. So far as compensation amount is concerned, it is humbly submitted as per record/report of AAO West, no payment entry has been found in respect of above mentioned Khasra Nos.”

(emphasis added)

4. As a sequel of above, it can be inferred, in the light of the submission canvassed by counsel for petitioner, that petitioners are the recorded owners of the land for which neither compensation has been paid, nor the possession has been taken over by respondent.

5. In that view of the matter, it is declared that the acquisition of land *Khasra No. 37/2 (4-6), 37/9 (4-6), 37/12 (3-0) at Village Bakkarwala, Delhi*,



as prayed in the prayer clause, has lapsed, and the land is free from the acquisition proceedings.

6. The petition stands allowed based on the stand of the respondent as reproduced hereinabove.

7. We make it clear that if so required, it shall be open for the respondent to initiate fresh acquisition proceedings in accordance with law.

8. Accordingly, the present petition is disposed of, and pending application is rendered infructuous.

9. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 7, 2025/sm/bp