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

+ **W.P.(C) 16507/2024**

JAIPAL (SINCE DECEASED) THROUGH LRS.Petitioner

Through: LR No. -2 in person for all
petitioners.

versus

LAND ACQUISITION COLLECTOR (N-W)Respondent

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha,
Mr. Mayank Madhu and Ms. K. K.
Kiran Pathak, Advs.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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17.01.2025

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

“(1) Direct the Respondent, Land Acquisition Collector (North-West Delhi), to send the Reference, which was ordered to be send vide Reference Order dated 26.02.2013 (Annexure:P-1) passed under Section 30/31 of the Land Acquisition Act, 1894, to the Reference Court, and also remit/deposit the balance compensation in the Reference Court, as was directed by the Reference Order, along with its interest in terms of S-34 of the Act.

(2) Pass any other or further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice and to meet the ends of justice.”

2. The petitioner, appearing in person, submitted that vide order dated



26th February, 2013, the respondent/competent authority i.e., Land Acquisition Collector ('LAC'), North –West, Delhi, directed that a reference be made to the learned Reference Court under Sections 30/31 of the Land Acquisition Act, 1894, (hereinafter referred as 'the Act') pertaining to the balance compensation amount of the disputed land measuring 25 Bigha 15 Biswa out of Khasra No. 4//10 (4-16), 5//6(4-16), 9//7(4-16), 16(3-07), 25(3-14), 17//5(4-06) (hereinafter referred as 'the disputed land') and the possession taken thereof.

3. However, the petitioner made an innocuous prayer that if the said reference has not already been made, the same may be directed to be made by the concerned authority to the learned Reference Court and the learned Reference Court may also be directed to dispose of the said reference at the earliest.

4. Mr. Pathak, learned Standing Counsel for the respondent/LAC, has no objection to the innocuous prayer made by the learned counsel appearing on behalf of the petitioner.

5. Heard petitioner in-person and learned counsel appearing on behalf of the respondent/LAC and perused the record.

6. This Court has perused the contents made in the instant petition as well as the order dated 26th February, 2013. Upon perusal of the same, we are of the view to grant innocuous prayer made by the petitioner.

7. In view of the innocuous made by the petitioner in-person as well as no objection provided on behalf of the learned Standing Counsel for the respondent/LAC, the Respondent/LAC is directed to make a reference in terms of the order dated 26th February, 2013, to the learned Reference Court. If the same has not already been sent, to be sent within a period of 6 weeks



from today and after receiving the same, the learned Reference Court shall dispose of the aforesaid reference and pass a speaking and reasoned order in accordance with law, after hearing both the parties, in terms of Section 34 of the Act as expeditiously as possible, preferably within 10 weeks.

8. Accordingly, the instant petition is disposed of with the aforesaid directions.

CHANDRA DHARI SINGH, J.

ANOOP KUMAR MENDIRATTA, J,

JANUARY 17, 2025

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Click here to check corrigendum, if any