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

(40)

+ W.P.(C) 6219/2018 and CM APPL. 44555/2019

VANDANA RAGHAV @ GUDDI

.....Petitioner

versus

GOVERNMENT OF NCT OF DELHI & ORS

.....Respondents

(41)

+ W.P.(C) 6236/2018 and CM APPL. 45574/2019

REETA PUNDEER

.....Petitioner

versus

GOVERNMENT OF NCT OF DELHI & ORS

.....Respondents

(42)

+ W.P.(C) 6291/2018

JOGENDER

.....Petitioner

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Present: Mr Vinod Duby and Mr Eshaan Goel, Advocates for the petitioners.
Mr Sanjay Kumar Pathak, SC, Mr Sunil Kumar Jha, Mr M S Akhtar, and Mr Mayank Madhu, Advocates for R1
Mr Sanjay Vashishtha with Ms Harshita Rai, Mr Siddhartha Goswami and Ms Gunjan Rathore, Advocates for R2/DDA.
Ms Rulpali Bandhopadhya, ASC, Mr Abhijeet Kumar and Mr Anurag Arora, Advocates for State.



CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
18.02.2025

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1. The petitioners have filed the present petitions, *inter alia*, praying that directions be issued for payment of compensation under the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereafter "*the 2013 Act*") in respect of the subject land. The petitioners claim that they are entitled to 1/18th share of the subject land which is described as land comprising Khasra No.481/1(01-15), 482/2 (00-10), 481/3 (00-10), 481/4 (01-15), 49/10/1 (00-05), 18/2/1 (01-05), 13/2/1 (01-14), 52/14 (03-01), 17(05-07), 20/11 (04-16), 12/1 (03-01), 21/15/2 (02-08), 272/1 (01-16), 15/2/2 (00-10) admeasuring 26 Bigha 02 Biswas situated in Revenue Estate of Village Karawal Nagar, Shahdra, New Delhi.
2. The present petitions are premised on the basis that the acquisition of the subject land had lapsed by virtue of Section 24(2) of the 2013 Act. Admittedly, the possession of the subject land was taken over. However, it is claimed that the compensation was not paid.
3. The contention that the acquisition of the subject land has lapsed is premised on the direction of the Supreme Court in ***Pune Municipal Corporation & Another v. Harakchand Misirimal Solanki & Ors.: (2014) 3 SCC 183***. The foundation of the present petitions does not hold good in view of the subsequent decision of the Supreme Court in ***Indore Development Authority v. Manoharlal, (2020) 8 SCC 129***. In the said decision, the Supreme Court had clarified that both the conditions – the



possession of the land has been taken over and compensation has not been paid – are required to be cumulatively satisfied for the acquisition to lapse under Section 24(2) of the 2013 Act. Since it is admitted that the possession of the subject land was taken over, the acquisition of the subject land does not lapse by virtue of the provisions of Section 24(2) of the 2013 Act.

4. The petitions are, accordingly, dismissed. Pending applications also stand disposed of.

VIBHU BAKHRU, J

TEJAS KARIA, J

FEBRUARY 18, 2025/tr

Click here to check corrigendum, if any