



2025:DHC:10668-DB



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

Date of decision: 27th November, 2025

+ **W.P.(C) 11897/2015**

1. **SH. JAGDISH SINGH**

S/O SH. SAHI RAM

...PETITIONER NO. 1

2. **SH. ROHIT DABAS**

S/O LATE KRISHAN KUMAR

...PETITIONER NO. 2

3. **SH. AMIT DABAS**

S/O LATE KRISHAN KUMAR

...PETITIONER NO. 3

(ALL R/O B-5-1, MODEL TOWN,
DELHI)

Through: Mr. Gaurav Bhardwaj, Mr. Som
Dutt Sharma, Ms. Garima
Bhardwaj, Advocates with
Petitioner no.1 in person.

versus

1. **UNION OF INDIA**

THROUGH L.A.C.

NORTH DISTT.

5, SHAM NATH MARG,
DELHI

...RESPONDENT NO. 1

2. **GOVT. OF NCT OF DELHI**

THROUGH ITS SECRETARY

LAND & BUILDING,

VIKAS BHAWAN, ITO,

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NEW DELHI

...RESPONDENT NO. 2

3. LT. GOVERNOR OF DELHI

RAJ BHAWAN, RAJ NIWAS MARG,
DELHI

...RESPONDENT NO. 3

4. GOVT. OF INDIA

THROUGH ITS SECRETARY
MINISTRY OF REHABILITATION
NIRMAN BHAWAN, NEW DELHI

...RESPONDENT NO. 4

5. DELHI DEVELOPMENT AUTHORITY

THROUGH ITS VICE CHAIRMAN
I.N.A. MARKET, VIKAS SADAN,
NEW DELHI

...RESPONDENT NO. 5

Through: Mr. Rajneesh Sharma, Advocate
for R-1 to R-3 (LAC/L&B).
Ms. Manika Tripathy, Standing
Counsel with Mr. Gautam Yadav,
Mr. Aakash Mohar, Advocates for
DDA.
Mr. Rajesh Kumar, SPC, with Mr.
Yash Narain, Advocate for R-
4/DOI.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

JUDGMENT (ORAL)

NITIN WASUDEO SAMBRE, J.

1. At the outset, learned counsel for the petitioners makes an oral

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request, on instructions from petitioner no. 1, who is present in person in Court, for correcting the area of land mentioned as *3 Bighas and 11 Biswas* in prayer clauses (a) and (b) to that of *1 Bigha and 5 Biswas*. Learned counsel for the petitioners undertakes to file an affidavit of all three petitioners to that effect within a period of two weeks from today.

2. In view of the aforesaid undertaking, we grant leave to the petitioners to correct the figure of *3 Bighas and 11 Biswas* to *1 Bigha and 5 Biswas*.

3. We have heard counsel for the petitioners, so also counsel appearing for the respondents.

4. The prayer in the petition is for a declaration that the land admeasuring *1 Bigha and 5 Biswas*, out of *Khasra No. 25/3* situated in Village Barwala, Delhi, stands lapsed under Sub-section (2) of Section 24 of the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* (for short, “***the Act of 2013***”). The petitioners have further sought directions to the respondents not to interfere in the peaceful possession and enjoyment of the land to the extent of *1 Bigha and 5 Biswas* referred above.

5. The facts necessary for deciding the petition are that *vide* Award announced on 5th August, 2005, land measuring *1 Bigha and 2 Biswas*, out of *Rect no.2, Khasra No. 25*, as mentioned in the said Award, came to be acquired for the planned development of Delhi city.

6. Alleging that the petitioners are entitled, by virtue of their internal settlement, for the land to the extent of *1 Bighas and 5 Biswas*, having



not received the compensation, so also that of possession being not being parted, the petitioners have sought declaration of lapsing under Sub-Section (2) of Section 24 of the Act of 2013.

7. This Court, after hearing the parties at length, already recorded a finding that the possession of the land to the extent of *1 Bigha* and *5 Biswas* as referred to in paragraph 4 so also the prayer clauses in the petition, was already taken by the respondents on 6th October, 2005, pursuant to Award announced 5th August, 2005.

8. As such, the only issue for consideration, for which the matter is listed today, is the award of compensation.

9. The petitioners have obtained information under the *Right to Information Act, 2005*, pursuant to which they have been informed that the amount of compensation has not been released in their favour.

10. When confronted in this backdrop, learned counsel appearing for respondent-Land Acquisition Collector states that compensation has not been paid to the petitioners.

11. In response to the Court's query, it is further informed that the entire compensation shall be released in favour of the petitioners within a period of 12 weeks, provided the petitioners appear and establish their entitlement to the same.

12. In this view of the matter, we deem it appropriate to partly allow the present writ petition, thereby holding that the petitioners are entitled for compensation in respect of the land, the possession of which has already been taken under the Award announced on 5th August, 2005, as



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referred to above.

13. Let the entire compensation be paid to the petitioners, which shall carry statutory interest and all other emoluments as statutorily provided under the *Land Acquisition Act, 1894*. The petitioners, for the purpose of establishing their entitlement, shall appear before the Competent Authority on 10th February, 2026.

14. The respondent shall release the compensation upon the petitioners establishing their identity and entitlement, forthwith and in any case, not later than 12 weeks from the date of this order.

15. The petition, as such, stands partly allowed in above terms.

16. Pending application(s), if any, also stand disposed of.

17. A copy of this judgment be uploaded on the website of this Court forthwith.

**NITIN WASUDEO SAMBRE
(JUDGE)**

**ANISH DAYAL
(JUDGE)**

NOVEMBER 27, 2025/ay/sk

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