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

+ **W.P.(C) 4176/2021, CM APPL. 12715/2021**

RAJ KUMARI

.....Petitioner

Through: Mr. Setu Niket, Ms. Esha Mazumdar,
Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ANRRespondents

Through: Mr. Vivek B Saharya (Advocate), Mr.
Mr. Nishant (Advocate) for R-1
Mr. Anubhav Gupta, Panel Counsel
(Civil), GNCTD for R-2

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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03.02.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“A. Issue a Writ of Prohibition or any other appropriate Writ, Order or Direction in the nature thereof, restraining the Respondents from taking over possession of the lands and buildings of the petitioner on Kh. No. 45/23/2 & 52/3 (1100 Sq Yards) situated in Vill Prahladpur Bangar, Delhi-110042;

B. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice;

C. Award costs in favour of the Petitioner;”

2. The case of the petitioner is that the petitioner is the owner of 1100 sq. yards of land in Khasra No. 45/23/2 and 52/3 in Village Prahladpur



Bangar, Delhi-110042 (“*subject property*”). The petitioner entered into three Agreement to Sell, three General Power of Attorney and 3 Will’s dated 29.09.2015, 30.12.2015 and 27.06.2016 and was handed over possession of the subject land *vide* letters dated 29.09.2015, 30.12.2015 and 27.06.2016 respectively after making payment of due consideration to the predecessors. The subject property has boundary wall as well as structures.

3. The subject property and lands forming part of the Prahladpur Industrial Area were acquired by notification under Sections 4 and 6 of the Land Acquisition Act, 1894 respectively and the award was also passed by the Land Acquisition Collector.

4. It is stated by Mr. Setu Niket, learned counsel for the petitioner, that the area is now notified as Prahladpur Industrial Area and is to be developed *in-situ* as an industrial area. The same is supported by notifications dated 18.09.2007 preceded by an policy decision dated 11.09.2007 by Lieutenant Governor of NCT of Delhi, wherein the NCT of Delhi, Land and Building Department has stated that since the unauthorized colony was to be regularized, the land and super structure built on the same were not to be taken over by the Government.

5. For the said reasons, the present petition has been filed seeking restrain against the respondents from taking over possession of the subject property and building of the petitioner at the subject property.

6. I have also heard Mr. Saharya, learned counsel for the respondent No. 1 i.e., Delhi Development Authority (“**DDA**”).

7. In the present case, a perusal of the Sale Deed shows that there is no fountainhead through which Shri Ram Kishan, the owner of the land became the owner of the land except for the averment that the vendor is the owner of



the land, there is no document explaining as to the ownership of Shri Ram Kishan.

8. Thereafter, the petitioner has purchased the subject property by virtue of three Agreement to Sell, three General Power of Attorney and 3 Will's dated 29.09.2015, 30.12.2015 and 27.06.2016.

9. In the present case, the subject property has been acquired under Sections 4, 6 and 17(1) of the Land Acquisition Act, 1894 *vide* notification dated 27.10.1999.

10. The possession of the subject property has been handed over to DDA by Land Acquisition Collector on 09.05.2000 and an award was passed on 08.07.2002. The acquisition proceedings and the award admittedly has not been challenged or set aside by any Court of law.

11. The petitioner has allegedly purchased the subject property after the date of acquisition and hence, his property documents have no legal sanctity in the eyes of law.

12. Additionally, in rejoinder on behalf of the petitioner and more particularly in paragraph No. 13, the petitioner has admitted that the predecessors in interest of the petitioner without intimating the petitioner have collected compensation for the acquired land. The said paragraph No. 13 from rejoinder on behalf of the petitioner reads as under:-

“13. The contents of para 13 are wrong and vehemently denied except which are a matter of record. It is denied that the compensation was received by the Petitioner for the Khara Nos in question. It is submitted that the predecessor of the petitioner, without intimating the Petitioner, fraudulently collected compensation in pursuance of award passed by the



LAC after transferring the property in favour of Petitioner after receiving consideration from the Petitioner.”

13. In view of the aforesaid narrated facts, I am clear that in the present case the subject property has been validly acquired by the respondents. The acquisition proceedings have further also attained finality in view of the predecessors in interest of the petitioner claiming and collecting compensation for the acquired land.

14. In this view of the matter and in view of the fact that the petitioner has no semblance of title to the property in question, the present petition is dismissed.

15. Consequently, all the pending applications, if any, are disposed of.

JASMEET SINGH, J

FEBRUARY 3, 2026/DM