

Delhi State Industrial & ... vs Jai Kishan Goel & Ors on 8 November, 2016

Author: R.K.Agrawal

Bench: Rohinton Fali Nariman, R.K. Agrawal

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10741 OF 2016
(Arising out of SLP(Civil)No.29879 of 2016)

DELHI STATE INDUSTRIAL &
INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. ... APPELLANT(S)

VS.

JAI KISHAN GOEL AND ORS.

... RESPONDENT(S)

J U D G M E N T

R.K.AGRAWAL, J.

1. Leave granted.

2. The issue, in principle, is covered against the appellant by judgments in Civil Appeal No.8477 of 2016 arising out of Special Leave Petition(Civil)No.8467 of 2015 and Civil Appeal No.5811 of 2015 arising out of Special Leave Petition(Civil) No.21545 of 2015. The appeals filed by the requisitioning authority, namely, the Delhi Development Authority, have already been dismissed by this Court.

3. This appeal is , accordingly, dismissed.

4. In the peculiar facts and circumstances of these cases, the appellant is given a period of one year to exercise its liberty granted under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for initiation of the acquisition proceedings afresh.

5. We make it clear that in case no fresh acquisition proceedings are initiated within the said period of one year from today by issuing a Notification under Section 11 of the Act, the appellant, if in possession, shall return the physical possession of the land to the original land owner.

Pending applications, if any, stand disposed of. No costs.

.....J. [R.K. AGRAWAL]J. [ROHINTON FALI NARIMAN] New Delhi;

November 8, 2016.