

Smt. Ramvati Widow Of Sh. Karan Singh vs Government Of N.C.T Of Delhi And Anr on 1 February, 2019

Author: S. Muralidhar

Bench: S.Muralidhar, Sanjeev Narula

\$~9

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 11005/2018
SMT. RAMVATI WIDOW OF SH. KARAN SINGH Petitioner
Through: Mr. S.K. Rout, Advocate for Mr. P.K.
Rawal, Advocate.

versus

GOVERNMENT OF N.C.T OF DELHI AND ANR. Respondents
Through: Ms. Mrinalini Sen, Standing Counsel
for DDA.
Mr. Yeeshu Jain, Advocate with Ms.
Jyoti Tyagi, Advocate for L&B/LAC.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER

% 01.02.2019

1. The prayers in this petition read as under:

"a. Issue a Writ of Mandamus or any other suitable writ order or direction in the like nature thereby directing the respondents to pay suitable compensation in respect of acquired land in respect bearing Khasra No. 1/100 (11-14) total land measuring 11 Bigha 14 Biswas and the petitioner family members are extent their share ½ share 05 Bigha 17 Biswas i.e. 5850 sq.yds. (the husband of the petitioner is Recorded owner in Revenue Record) Situated in the Revenue Estate of Village Ziauddinpur, Shahdra, Delhi- arising out of Award No.1954 dated 27/02/1967. In view of the provisions of Section 24(2) of Right of Fair Compensation and Transparency in Land Requisition, Rehabilitation and Resettlement Act,2013.

b. all benefits/alternative plots/industrial plot/DDA Flat etc. as per revenue record admissible under the law in view of the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act,2013."

2. According to the narration in the petition, the notification under Section 4 of the Land Acquisition Act, 1894 ('LAA') was issued on 24th October 1961. A declaration under Section 6 of LAA was issued

on 1st August 1966. The Award was passed way back on 27th February 1967. There is no explanation for the inordinate delay in approaching the Court for relief.

3. This Court has in the series of orders following the judgment of the Supreme Court in Mahavir v. Union of India (2018) 3 SCC 588 dismissed matters on account of delay and laches. The above observations have been followed by this Court in several orders including the order dated 10th January, 2019 in WP(C) No. 4528/2015 (Mool Chand v. Union of India) and similar petitions have been dismissed on the ground of laches.

4. In that view of the matter, Learned Counsel for the Petitioner seeks leave to withdraw this petition with liberty to file a fresh petition properly explaining the inordinate delay in approaching the Court for relief.

5. Dismissed as withdrawn with liberty as prayed for.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 01, 2019 ss