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

+ **W.P.(C) 5195/2022**

AASAKTI ESTATES PVT LTD

..... Petitioner

Through: Mr. Sumil Bansal, Mr. Udaibir
Kochar & Mr. Aditya Bakshi,
Advocates.

versus

GOVT OF NCT OF DELHI & ANR.

..... Respondent

Through: Mr. Manike Tripathy, Standing
Counsel for DDA-R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

29.03.2022

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The petitioner vide the present petition makes the following prayers.

“(a) issue a writ, order or direction in the nature of writ of declaration declaring the action of the Respondents in not correcting the records with respect to the land forming part of Khasra Nos. 317 (3-18), 318 (4-16), 319 (4-4) in all admeasuring 12 bigha 8 biswas situated in the Revenue Estate Village Satbari, Tehsil Delhi has been illegally or arbitrary;

(b) issue writ, order or direction in the nature of writ of mandamus thereby directing the Respondent No. 1 to correct the records and consequently recording the land situated in Khasra Nos. 317 (3-18), 318 (4-16), 319 (4-4) in all admeasuring 12 bigha 8 biswas situated in the Revenue Estate Village Satbari as free from acquisition;”

Inter alia, reliance is sought to be placed on behalf of the petitioner on the verdict dated 06.04.15 of the Hon'ble Division Bench of this Court in

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W.P.(C) 6617/2014 vide which the petitioner thereof was held entitled to a declaration that the acquisition proceedings initiated under the 1894 Act in respect of the subject land was deemed to have lapsed and it was so declared. The said judgment is indicated to have been assailed by the Government of NCT of Delhi.

Vide Civil Appeal 6283/2017 and Civil Appeal 6162/2017 arising out of SLPs 32614/2015 and 38284/2016 and vide judgment dated 04.05.2017, the said appeals along with the other appeals detailed therein were dismissed though the appellant i.e., the Government NCT of Delhi arrayed as respondent No.1 to the present appeal, was given a period of six months to exercise its liberty granted under Section 24(2) of the 2013 Act for initiation of the acquisition proceedings, qua which, in reply to a specific Court query, learned counsel for the petitioner submits that there are no such acquisition proceedings that have been initiated.

The learned counsel for the respondent No.2 seeks time to seek instructions.

In the circumstances of the order dated 06.04.2015 of this Court and the order dated 04.05.2017 of the Hon'ble Supreme Court and the aspect that vide order dated 03.03.2022 of the Hon'ble Supreme Court, the review petition that was filed by the DDA, the respondent No.2, had also been declined, the short affidavit of the respondent Nos.1 and 2, if any sought to be filed in response to the petition, be filed within a period of ten days from today.

The matter is directed to be re-notified for 19.04.2022.

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The copy of this order be served on the standing counsel for the respondent No.1.

ANU MALHOTRA, J

MARCH 29, 2022

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