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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10318/2023**
M/S PRIYANKA OVERSEAS PVT. LTD.

..... Petitioner

Through: Mr. N.S.Vashisht, Adv. with Mr.
M.P. Bhargwa, Ms. Jyoti Kataria and
Mr. Aashu Tyagi, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Manish Kumar, SPC with Mr.
Rishav Dubey, Adv. for R-1/UOI.
Ms. Manika Tripathy, Standing
Counsel with Mr. Ashutosh Kaushik
and Mr. Rony John, Advs. for DDA.
Mr. Rajneesh Sharma for LAC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **30.05.2024**

CM APPL. 33740/2024(Stay)

1. The petitioner has filed the present application seeking *ad interim* orders to the effect that *status quo* with respect to the nature, title and possession of the land of the petitioner comprising Khasra Nos. 1391, 1392, 1393, 1401, 1402, 1403 and 1404 admeasuring 32 bighas and 16 biswas situated in Revenue Estate of village Malikpur Kohi @ Rangpuri, Tehsil Mehrauli, NCT of Delhi (hereafter *the subject land*) be passed.

2. It is the Respondents' contention that the possession of the subject land was taken over, which is also recorded in the order dated 05.02.2024. Learned counsel for the respondents have filed the copy of the possession proceedings dated 24.08.2023 in support of their claim that the possession of



the subject land was taken over.

3. In essence, the petitioner seeks to challenge the validity of the said proceedings. It is now contended that the said proceedings are not valid as the notification under Section 6 of Land Acquisition Act, 1894 and other proceedings have been quashed. Therefore, according to the petitioner, there could be no proceedings to take over possession of the subject land.

4. Learned counsel for the petitioner further submits that *ad interim* orders are required to be passed as the respondents may take over possession of the subject land.

5. Issue notice. Learned counsel for the respondents accept notice.

6. We do not consider it apposite to pass any *ad interim* orders at this stage. The question whether the possession proceedings are valid would be considered on the next date of hearing. Irrespective of whether the proceedings are valid, it is apparent that the possession of the subject land was taken on 24.08.2023 by the Respondent/LAC.

7. List on 18.07.2024, the date already fixed.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MAY 30, 2024/SA

Click here to check corrigendum, if any