

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.6542/2018)

DELHI DEVELOPMENT AUTHORITY ...APPELLANT

VERSUS

NIRLEP KAUR & ORS. ...RESPONDENTS

WITH

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.6532/2018)

AND

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No. 6535/2018)

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.6537 /2018)

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.6539/2018)

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.28827/2021)

CIVIL APPEAL NO. _____ OF 2023
(@ Special Leave Petition (C) No. _____ of 2023)
(@ Diary No.11491/2022)

O R D E R

There shall be a formal notice to the respondents in D. Nos. 6542, 6532, 6535, 6537 and 6539 of 2018 on the application(s) for condonation of delay as well as on the Special Leave Petitions.

Learned counsel appearing on behalf of the respective private respondents/original writ petitioners

contd..

accept notice on their behalf.

As the issue involved in the present Special Leave Petitions is covered by the decision of this Court in Civil Appeal No.4885/2022 (@ D.No. 21515/2019) which is connected matter, with the consent of learned counsel appearing on behalf of the respective parties, all these matters are heard, decided and disposed of by this common order.

Delay condoned.

Leave granted in all the matters.

By the impugned judgment and order(s), the High Court has allowed the respective writ petitions and has declared that the acquisition with respect to the land in question is deemed to have lapsed under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

It is the common case on behalf of the respective parties that with respect to the very acquisition and the similar order(s) passed by the High Court, the judgment and orders passed by the High Court have been set aside and the matters have been remanded to the High Court to decide the writ petitions afresh. Reliance is placed on the decision of this Court in the case of Delhi Development Authority Vs. Risal Singh & Ors. passed in Civil Appeal No.4885/2022 (@D.No. 21515/2019) on 22.07.2022.

contd..

In view of the above undisputed facts, the present appeals are allowed. The respective judgment and orders passed by the High Court impugned in the present appeals are hereby quashed and set aside and we relegate the parties before the High Court for reconsideration of writ petitions in accordance with law and on their own merits along with writ petitions to be heard together in terms of order dated 13.07.2022 in Civil Appeal No.4713/2022 and other allied appeals arising from the same notification.

All the contentions available to both the sides are left open, including the plea taken by the parties and noted in order dated 13.07.2022 in Civil Appeal No.4713/2022.

In view of the above and for the reasons stated hereinabove, all the appeals are allowed in terms of the above and stand disposed of accordingly. No costs.

.....J.
[M.R. SHAH]

..... J.
(C.T. RAVIKUMAR)

New Delhi;
January 30, 2023.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 6542/2018

(Arising out of impugned final judgment and order dated 24-04-2017 in WP(C) No. 1627/2016 passed by the High Court Of Delhi At New Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

NIRLEP KAUR & ORS.

Respondent(s)

(IA No. 47081/2018 - CONDONATION OF DELAY IN FILING
IA No. 47086/2018 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS
IA No. 47084/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 47085/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No(s). 6532/2018 (XIV)

(FOR ADMISSION and I.R. and IA No.48702/2018-CONDONATION OF DELAY IN FILING and IA No.48705/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.48703/2018-CONDONATION OF DELAY IN REFILEING

IA No. 48702/2018 - CONDONATION OF DELAY IN FILING

IA No. 48703/2018 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS

IA No. 48705/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 6535/2018 (XIV)

(FOR CONDONATION OF DELAY IN FILING ON IA 49789/2018

FOR CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS ON IA 49790/2018

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 49791/2018

IA No. 49789/2018 - CONDONATION OF DELAY IN FILING

IA No. 49790/2018 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS

IA No. 49791/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 6537/2018 (XIV)

(FOR CONDONATION OF DELAY IN FILING ON IA 51715/2018

FOR CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS ON IA 51716/2018

contd..

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
51718/2018

IA No. 51715/2018 - CONDONATION OF DELAY IN FILING

IA No. 51716/2018 - CONDONATION OF DELAY IN REILING / CURING THE
DEFECTS

IA No. 51718/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Diary No(s). 6539/2018 (XIV)

(FOR CONDONATION OF DELAY IN FILING ON IA 47581/2018

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
47582/2018

FOR CONDONATION OF DELAY IN REILING / CURING THE DEFECTS ON IA
47583/2018

IA No. 47581/2018 - CONDONATION OF DELAY IN FILING

IA No. 47583/2018 - CONDONATION OF DELAY IN REILING / CURING THE
DEFECTS

IA No. 47582/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Diary No(s). 28827/2021 (XIV)

(IA No. 156255/2021 - CONDONATION OF DELAY IN FILING)

Diary No(s). 11491/2022 (XIV)

(IA No. 63309/2022 - CONDONATION OF DELAY IN FILING)

Date : 30-01-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Parties

Ms. Astha Tyagi, AOR

Mr. Dinesh Chander Trehan, Adv.

Ms. Diksha Narula, Adv.

Ms. Sujeeta Srivastava, AOR

Ms. Arti Singh, AOR

Mr. Aakashdeep Singh Roda, Adv.

Ms. Pooja Singh, Adv.

Mr. Basant Pal Singh, Adv.

Mrs. Deepika Marwaha, Sr. Adv.

Mr. Vinay K. Shailendra, Adv.

Mr. Jagjit Singh Chhabra, AOR

Ms. Worthing Kasar, Adv.

Mr. Saksham Maheshwari, Adv.

Ms. Raunika Johar, Adv.

Contd..

Mr. Nitin Mishra, AOR
Mr. Ishaan Sharma, Adv.

Ms. Arti Singh, AOR
Mr. Aakashdeep Singh Roda, Adv.
Ms. Pooja Singh, Adv.
Mr. Basant Pal Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

There shall be a formal notice to the respondents in
D. Nos. 6542, 6532, 6535, 6537 and 6539 of 2018 on the
application(s) for condonation of delay as well as on the
Special Leave Petitions.

Learned counsel appearing on behalf of the
respective private respondents/original writ petitioners
accept notice on their behalf.

Delay condoned.

Leave granted in all the matters.

The appeals are allowed and stand disposed of in
terms of the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
COURT MASTER (NSH)

(signed order is placed on the file)