

ITEM NO.30

COURT NO.11

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 6250/2015  
(Arising out of impugned final judgment and order dated 22/08/2014  
in WPC No. 13814/2009 passed by the High Court of Delhi at New  
Delhi)

D.D.A.

Petitioner(s)

VERSUS

RAMAN GROVER AND ORS.

Respondent(s)

(with interim relief and office report)

WITH

SLP(C) No. 30135/2015  
(With appln.(s) for exemption from filing O.T. and Office Report)

SLP(C) No. 30141/2015  
Office Report)

SLP(C) No. 31337/2015  
Office Report)

SLP ( C ) No. 31675/2015  
(With Office Report)

SLP(C) No. 28927/2015  
Office Report)

SLP(C) No. 6142/2016  
(Office Report)

SLP(C) No. 30142/2015  
Office Report)

(SLP(C) No. 30244/2015  
(Office Report)

SLP(C) No. 9182/2016  
(Office Report)

SLP(C) No. 29537/2015  
(With appln.(s) for permission to file additional documents and  
Interim Relief and Office Report)

SLP(C) No. 6367/2016  
(Office Report)

(SLP(C) No. 31366/2015  
(Office Report)

SLP(C) No. 19559/2015  
(Office Report)

SLP(C) No. 11448/2016  
(With Office Report)

SLP(C) No. 7558/2016  
Office Report)

SLP (C) No. 28845/2015  
(with Office Report)

SLP(C) No. 11399/2016  
(Office Report)

SLP(C) No. 30195/2015  
(Office Report)

SLP(C) No. 30169/2015  
Office Report)

SLP (C) No. 8820/2016  
(with appln. for C/delay in filing SLP  
and Office Report)

SLP(C) No. 8839/2016  
(Office Report)

Date : 03/05/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Vishnu B. Saharya, Adv.  
Mr. Viresh B. Saharya, Adv.  
for M/s. Saharya & Co., Adv.

Mr. Ashwani Kumar, Adv.  
Mr. Rahul Bhatia, Adv.

Ms. Rachana Srivastava, Adv.  
Ms. Monika, Adv.  
Mr. Sukrit, Adv.

Ms. Garima Prashad, Adv.

Mr. Shantanu Krishna, Adv.

Mr. Ankit Goel, Adv.  
Mr. Nilkamal Datta, Adv.  
Mr. Ram Naresh Yadav, Adv.

For Respondent(s)

Mr. A.K. Sanghi, Sr. Adv.  
Mr. C.A. Sundaram, Sr. Adv.  
Mr. Ajay Kumar Singh, Adv.  
Mr. Harish Kumar Khinchi, Adv.  
Mr. R.R. Rajesh, Adv.  
Mr. R.K. Rathore, Adv.  
Mr. Neeraj Kumar Sharma, Adv.  
Ms. Rashmi Mahota, Adv.  
Mr. D. S. Mahra, Adv.

Ms. Sushma Suri, Adv.  
Ms. Rohini Musa, Adv.

Mr. Ashwani Kumar, Adv.

Mr. Vishal Maan, Adv.  
Mr. Bankey Bihari, Adv.  
Mr. S. Rathi, Adv.  
Mr. Naresh Maan, Adv.

Mr. Prag Tripathi, Sr. Adv.  
Mr. Sumit Bansal, Adv.  
Mr. A. Mathur, Adv.  
Mr. A.P.S. Sehgal, Adv.  
Ms. Richa, Adv.  
Mr. Gagan Gupta, Adv.

Mr. Gopal Sankranarayanan, Adv.  
Ms. Pooja Dhar, Adv.  
Mr. Zeesan Dawan, Adv.

Mr. Shiv Kumar Suri, Adv.  
Mr. S.K. Rout, Adv.  
Dr. N. Pradeep Sharma, Adv.

Mr. Pawan Kumar, Av.  
Mr. Shikhil Suri, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Vivek Jain, Adv.  
Mr. Raghav Dwivedi, Adv.  
Ms. Devika Mohan, Adv.  
Mr. E. C. Agrawala, Adv.

Mr. Bharat Beriwal, Adv.  
Mr. Rajiv Ranjan Dwivedi, Adv.

Mr. Sumeer Sodhi, Adv.  
Mr. Varun Tankha, Adv.  
Mr. Arjun Nanda, Adv.  
Mr. Praval Arora, Adv.  
Mr. T. Mahipal, Adv.

Mr. Manish K. Bishnoi, Adv.  
Mr. Venkat Poonia, Adv.

Mr. Ravinder Sethi, Sr. Adv.  
Mr. Rajiv Kumar, Adv.  
Mr. Jitender Vashist, Adv.  
Mr. Puneet Sharma, Adv.

Mr. Rajiv K. Garg, Adv.  
Mr. Ashish Garg, Adv.  
Mr. Gulshan Chawla, Adv.  
Mr. T. L. Garg, Adv.

Mr. Sanchar Anand, Adv.  
Mr. Apoorv Singhal, Adv.  
Mr. Devendra Singh, Adv.

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

SLP (C) No. 6250 of 2015

Mr. Sundaram, learned senior counsel appearing for the respondent submits that respondent No.1 has inherited the property from his father. Father had purchased the property in the year 1952. Therefore, it is submitted that in view of

the admitted factual position that the possession has not been taken, the special leave petition is to be dismissed.

The learned counsel appearing for the DDA seeks two days' time to verify the facts.

Post for Judgment/order on 10.05.2016.

SLP (C) No.30135/2015

The learned counsel for the respondents submits that the land admeasuring 18 Bigha and 16 Biswas compromised in Khasra No.1570/I (3-18), 1571/1 (3-18), 1732/1 (2-8), 1733/1/1 (0-13), 1733/1/2 (0-15), 1737/1 (3-12), 1732 (2-8) and 1737 (1-4) has not been taken in possession and this is also the admitted position as can be seen from Counter Affidavit filed by the Land Acquisition Collector before the High Court.

In view of the above position since possession in respect of the said land admeasuring 18 Bigha and 16 Biswas has not been taken, the special leave petition is dismissed.

SLP (C) No.30141/2015

It is an admitted position that the land in Khasra No.1081(4-16), 1083/2 (3-01), 1084/2 (4-01), 927 min (0-03), 943/1 (0-3) and 944 min (0-03) admeasuring 12 Bigha and 7 Biswas in Village Chattarpur, New Delhi has not been taken in possession by the Acquiring Authority, therefore, special leave petition is dismissed.

SLP (C) No. 31337 of 2015

List on 23.08.2016.

Permission to file additional documents is granted.

SLP (C) No. 31675 of 2015

There will be a direction to the petitioner to file an affidavit with regard to taking possession of the property and handing over the same to the Requisitioning Authority, within six weeks.

Post on 26.07.2016.

SLP (C) No.28927 of 2015

List on 23.08.2016.

SLP (C) No. 6142/ 2016

List on 23.08.2016.

SLP (C) No. 30142/2015

List on 09.08.2016. The petitioner to serve a copy of full set of paper book to the learned counsel for the respondents, within two weeks.

SLP (C) No.30244/2015

The learned counsel for the respondents submits that acquisition proceedings in respect of the land in Khasra No. 654 Min of Village Satbari, NCT Delhi admeasuring 4 Bigha and 4 Biswas has already been quashed by the judgment dated 28.08.1990.

The learned counsel for the Delhi Development Authority seeks a week's time to verify the facts.

Post for Judgment/order on 12.05.2016.

SLP (C) No.9182/2016

Civil Appeal No. 4582/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

SLP (C) No.29537 of 2015

List on 30.08.2016.

SLP (C) No.6367 of 2016

It is not in dispute that the land comprised in Khasra No. 1762(4-16), 1763(4-16), 1767/2 (3-16) and 1768/2 (3-16), admeasuring 17 Bighas and 4 Biswas has not been taken in possession, therefore, the special leave petition is dismissed.

SLP (C) No.31366 of 2015

List on 30.08.2016.

SLP (C) No. 19559 of 2015

Civil Appeal No. 4559/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

SLP (C) No. 11448 of 2016

List on 30.08.2016.

SLP (C) No. 7558 of 2016

Civil Appeal No. 4549/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

SLP (C) No. 28845 of 2015

Civil Appeal No. 4555/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

SLP (C) No. 11399 of 2016

Civil Appeal No. 4550/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

Civil Appeal No. 4800/2016

(Arising out of SLP (C) No. 30195 of 2015)

Leave granted.

The appeal is dismissed in terms of signed non-reportable judgment.

SLP (C) No. 30169 of 2015

Civil Appeal No. 4572/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

SLP (C) No. 8820 of 2016

List on 30.08.2016

SLP (C) No. 8839 of 2016

Civil Appeal No. 4571/2016 filed by the DDA in respect of very same land has been dismissed by this Court by Judgment dated 28<sup>th</sup> April, 2016, therefore, this special leave petition also stands dismissed.

(Rajni Mukhi)  
SR. P.A.

(Renu Diwan)  
COURT MASTER

(Signed non-reportable Judgment in C.A.4800/2016  
@ SLP © No.30195/2015 is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4800 OF 2016  
(Arising out of SLP ( C) No. 30195 of 2015)

Delhi Development Authority ...Appellant

Versus

Poonam Bhatia & Ors. ...Respondents

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The Delhi Development Authority has come up in appeal, aggrieved by the Judgment dated 11.11.2014 passed by the High Court of Delhi, whereby the acquisition of the property referred to in the Judgment in question of the land belonging to the respondents has been declared to have lapsed in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
3. On the finding that the possession has not been taken, the relevant portion of the impugned judgment is extracted below:

"It is an admitted position that neither physical possession of the subject land has been taken by the land acquiring agency, nor has any compensation been paid to the petitioners. The award was made more than five years prior to the commencement of the 2013 Act. All the ingredients of section 24(2) of the 2013 Act as interpreted by the Supreme Court and this Court in the following decisions satisfied....."

4. In the above circumstances, the appellant having not disputed the question of possession, before the High Court, there is no justification in filing the appeal before this Court.

5. The appeal is hence dismissed. No costs.

.....J.  
[KURIAN JOSEPH]

.....J.  
[ROHINTON FALI NARIMAN]

NEW DELHI;  
MAY 03, 2016