

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ INHERENT JURISDICTION

MISCELLANEOUS APPLICATION No. _____ of 2025
(@ D.NO.21786/2023)

IN

Civil Appeal No. 8648 of 2016

DELHI DEVELOPMENT AUTHORITY

APPLICANT(S)

VERSUS

MEHBOOB & ORS.

RESPONDENT(S)

WITH

MISCELLANEOUS APPLICATION No. _____ of 2025
(@ D.NO.402/2023)

IN

REVIEW PETITION (C) NO(S). @ D.No. 27346 OF 2019

IN

Civil Appeal No. 8639 of 2016

O R D E R

1. Delay condoned.
2. Learned senior counsel / counsel for the parties are ad idem that the issue involved in the instant case squarely falls within the ambit of our decision in Government of NCT of Delhi through its Secretary, Land and Building Department & another vs. K.L. Rathi

Steels Limited and others, (2024) 7 SCC 315.

3. Consequently, the respondent(s)-land owner(s) are held entitled to compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in accordance with the procedure as explained in paragraph 128 of *K.L. Rathi* (supra), which reads as follows:

128. Under the circumstances, dismissal of the RPs and miscellaneous applications would have been logical and we could have ended our judgment here by ordering so. However, there is something more of a balancing act that needs to be done having regard to the disclosures that were made in course of progress of other proceedings before us, which followed immediately after judgment on this set of RPs and miscellaneous applications was reserved. Such other proceedings arose out of appeals carried from orders of the High Court declaring land acquisition proceedings as lapsed based on the decision in *Pune Municipal Corporation* (supra) as distinguished from RPs and miscellaneous applications of the nature under consideration. Since all such proceedings have more or less a common genesis and have followed similar trajectory, it would be eminently desirable to find a solution that benefits all. We may hasten to add here that the exercise of inherent powers conferred on this Court by Article 142, in such circumstances, is not just inevitable but also pivotal for disposal of the matters at hand, given their impact on public interest at large as well as to secure uniformity and consistency in our decisions; hence, we consider it expedient to pass such orders or directions for ensuring complete justice in the matters under consideration before us. Notwithstanding our discussion on the reference which was necessitated to answer the question of law on which there was a disagreement between the Hon'ble Judges of the Division Bench, taking an overall and holistic view of the matter and in the light of the larger public interest that is involved, in each of the RPs and miscellaneous applications that have been dealt with by this judgment (except those remanded to the High Court and those de-tagged for separate listing infra), we issue the following directions:

- a) The time limit for initiation of fresh acquisition proceedings in terms of the provisions contained in section 24(2) of the 2013 Act is extended by a year starting from 01st August, 2024 whereupon compensation to the affected landowners may be paid in accordance with law, failing which consequences, also as per law, shall follow;
- b) The parties shall maintain status quo regarding possession, change of land use and creation of third-party rights till fresh acquisition proceedings, as directed above, are completed;
- c) Since the landowners are not primarily dependent upon the subject lands as their source of sustenance and most of these lands were/are under use for other than agricultural purposes, we deem it appropriate to invoke our powers under Article 142 of the Constitution and dispense with the compliance of Chapters II and III of the 2013 Act whereunder it is essential to prepare a Social Impact Assessment Study Report and/or to develop alternative multi-crop irrigated agricultural land. We do so to ensure that the timeline of one year extended at (a) above to complete the acquisition process can be adhered to by the appellants and the GNCTD, which would also likely be beneficial to the expropriated landowners;
- d) Similarly, compliance with sections 13, 14, 16 to 20 of the 2013 Act can be dispensed with as the subject-lands are predominantly urban/semi-urban in nature and had earlier been acquired for public purposes of paramount importance. In order to simplify the compliance of direction at (a) above, it is further directed that every Notification issued under section 4(1) of the 1894 Act in this batch of cases, shall be treated as a Preliminary Notification within the meaning of section 11 of the 2013 Act, and shall be deemed to have been published as on 01st January, 2014;
- e) The Collector shall provide hearing of objections as per section 15 of the 2013 Act without insisting for any Social Impact Assessment Report and shall, thereafter, proceed to take necessary steps as per the procedure contemplated under section 21 onwards of Chapter-IV of 2013 Act, save and except where compliance of any provision has

- been expressly or impliedly dispensed with;
- f) The landowners may submit their objections within a period of four weeks from the date of pronouncement of this order. Such objections shall not question the legality of the acquisition process and shall be limited only to clauses (a) and (b) of section 15(1) of the 2013 Act;
 - g) The Collector shall publish a public notice on his website and in one English and one vernacular newspapers, within two weeks of expiry of the period of four weeks granted under direction (f) above;
 - h) The Collector shall, thereafter, pass an award as early as possible but not exceeding six months, regardless of the maximum period of twelve months contemplated under section 25 of the 2013 Act. The market value of the land shall be assessed as on 01st January, 2014 and the compensation shall be awarded along with all other monetary benefits in accordance with the provisions of the 2013 Act except the claim like rehabilitation etc.;
 - i) The Collector shall consider all the parameters prescribed under section 28 of the 2013 Act for determining the compensation for the acquired land. Similarly, the Collector shall determine the market value of the building or assets attached with the land in accordance with section 29 and shall further award solatium in accordance with section 30 of the 2013 Act;
 - j) In the peculiar facts and circumstances of this case, since it is difficult to reverse the clock back, the compliance of Chapter (V) pertaining to "Rehabilitation and Resettlement Award" is hereby dispensed with; and
 - k) The expropriated landowners shall be entitled to seek reference for enhancement of compensation in accordance with Chapter-VIII of the 2013 Act.

4. It is clarified that the extension of one year, as granted to the Authorities for completion of acquisition in sub-para (a) reproduced above, will commence from the date of this order.

5. The Miscellaneous Applications are, accordingly, disposed of.
6. As a result, pending interlocutory applications, if any, also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ INHERENT JURISDICTION

MISCELLANEOUS APPLICATION No. _____ of 2025
(@ D.NO.34776/2023)

IN

REVIEW PETITION (C) NO(S).....@ D.NO. 41760 OF 2018

IN

Civil Appeal No. 8624 of 2016

DELHI DEVELOPMENT AUTHORITY

APPLICANT(S)

VERSUS

TEJPAL SINGH & ORS.

RESPONDENT(S)

WITH

MISCELLANEOUS APPLICATION No. _____ of 2025
(@ D.NO. 34835/2023)

IN

Civil Appeal No. 8624 of 2016

O R D E R

1. Learned counsel for the private respondent(s) has brought on record a photostat copy of the registered sale deed executed on 31.08.1961, whereunder Dharam Singh and Sanwaliya, sons of Bhaktawar Singh, residents of Sultanpur, Delhi, sold complete Khasra No. 191 and 192 of Sultanpur village in favour of Joginder Singh and other named persons. It is stated that Mr. Joginder Singh was the father of the private respondents.

2. That being so, the instant case(s) squarely falls within the ambit of our decision in Government of NCT of Delhi through its

Secretary, Land and Building Department & another vs. K.L. Rathi Steels Limited and others, (2024) 7 SCC 315.

3. Consequently, the respondent(s)-land owner(s) are held entitled to compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in accordance with the procedure as explained in paragraph 128 of *K.L. Rathi* (supra), which reads as follows:

128. Under the circumstances, dismissal of the RPs and miscellaneous applications would have been logical and we could have ended our judgment here by ordering so. However, there is something more of a balancing act that needs to be done having regard to the disclosures that were made in course of progress of other proceedings before us, which followed immediately after judgment on this set of RPs and miscellaneous applications was reserved. Such other proceedings arose out of appeals carried from orders of the High Court declaring land acquisition proceedings as lapsed based on the decision in *Pune Municipal Corporation* (supra) as distinguished from RPs and miscellaneous applications of the nature under consideration. Since all such proceedings have more or less a common genesis and have followed similar trajectory, it would be eminently desirable to find a solution that benefits all. We may hasten to add here that the exercise of inherent powers conferred on this Court by Article 142, in such circumstances, is not just inevitable but also pivotal for disposal of the matters at hand, given their impact on public interest at large as well as to secure uniformity and consistency in our decisions; hence, we consider it expedient to pass such orders or directions for ensuring complete justice in the matters under consideration before us. Notwithstanding our discussion on the reference which was necessitated to answer the question of law on which there was a disagreement between the Hon'ble Judges of the Division Bench, taking an overall and holistic view of the matter and in the light of the larger public interest that is involved, in each of the RPs and miscellaneous applications that have been dealt with by this judgment (except those remanded to the High Court and those de-tagged for separate listing infra),

we issue the following directions:

- a) The time limit for initiation of fresh acquisition proceedings in terms of the provisions contained in section 24(2) of the 2013 Act is extended by a year starting from 01st August, 2024 whereupon compensation to the affected landowners may be paid in accordance with law, failing which consequences, also as per law, shall follow;
- b) The parties shall maintain status quo regarding possession, change of land use and creation of third-party rights till fresh acquisition proceedings, as directed above, are completed;
- c) Since the landowners are not primarily dependent upon the subject lands as their source of sustenance and most of these lands were/are under use for other than agricultural purposes, we deem it appropriate to invoke our powers under Article 142 of the Constitution and dispense with the compliance of Chapters II and III of the 2013 Act whereunder it is essential to prepare a Social Impact Assessment Study Report and/or to develop alternative multi-crop irrigated agricultural land. We do so to ensure that the timeline of one year extended at (a) above to complete the acquisition process can be adhered to by the appellants and the GNCTD, which would also likely be beneficial to the expropriated landowners;
- d) Similarly, compliance with sections 13, 14, 16 to 20 of the 2013 Act can be dispensed with as the subject-lands are predominantly urban/semi-urban in nature and had earlier been acquired for public purposes of paramount importance. In order to simplify the compliance of direction at (a) above, it is further directed that every Notification issued under section 4(1) of the 1894 Act in this batch of cases, shall be treated as a Preliminary Notification within the meaning of section 11 of the 2013 Act, and shall be deemed to have been published as on 01st January, 2014;
- e) The Collector shall provide hearing of objections as per section 15 of the 2013 Act without insisting for any Social Impact Assessment Report and shall, thereafter, proceed to take necessary steps as per the procedure contemplated under section 21

onwards of Chapter-IV of 2013 Act, save and except where compliance of any provision has been expressly or impliedly dispensed with;

- f) The landowners may submit their objections within a period of four weeks from the date of pronouncement of this order. Such objections shall not question the legality of the acquisition process and shall be limited only to clauses (a) and (b) of section 15(1) of the 2013 Act;
- g) The Collector shall publish a public notice on his website and in one English and one vernacular newspapers, within two weeks of expiry of the period of four weeks granted under direction (f) above;
- h) The Collector shall, thereafter, pass an award as early as possible but not exceeding six months, regardless of the maximum period of twelve months contemplated under section 25 of the 2013 Act. The market value of the land shall be assessed as on 01st January, 2014 and the compensation shall be awarded along with all other monetary benefits in accordance with the provisions of the 2013 Act except the claim like rehabilitation etc.;
- i) The Collector shall consider all the parameters prescribed under section 28 of the 2013 Act for determining the compensation for the acquired land. Similarly, the Collector shall determine the market value of the building or assets attached with the land in accordance with section 29 and shall further award solatium in accordance with section 30 of the 2013 Act;
- j) In the peculiar facts and circumstances of this case, since it is difficult to reverse the clock back, the compliance of Chapter (V) pertaining to "Rehabilitation and Resettlement Award" is hereby dispensed with; and
- k) The expropriated landowners shall be entitled to seek reference for enhancement of compensation in accordance with Chapter-VIII of the 2013 Act.

4. It is clarified that the extension of one year, as granted to the Authorities for completion of acquisition in sub-para (a) reproduced above, will commence from the date of this order.

5. The Miscellaneous Applications are, accordingly, disposed of.

6. As a result, pending interlocutory applications, if any, also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/INHERENT JURISDICTION

MISCELLANEOUS APPLICATION NO. _____ OF 2025
[@ DIARY NO.40773/2022]

IN

CIVIL APPEAL NO. 6230 OF 2017

DELHI DEVELOPMENT AUTHORITY

APPLICANT(S)

VERSUS

VEERA SINGH & OTHERS

RESPONDENT(S)

WITH

CIVIL APPEAL NO(S). _____ OF 2025
(@ SPECIAL LEAVE PETITION (C) NO(S). _____ OF 2025)
(@ DIARY NO. 28063 OF 2022)

WITH

MISCELLANEOUS APPLICATION No. _____ of 2025
(@ D.NO. 40963/2022)

IN

REVIEW PETITION (C) NO(S).....@ D.NO. 5204 OF 2020

IN

Civil Appeal No. 6230 of 2017

O R D E R

1. Delay condoned.
2. Leave granted.
3. The parties are common in all these matters. The acquired land is admittedly claimed to have been purchased by the private respondents through various modes like agreement to sell, General

Power of Attorney, and sale deed, executed much after the issuance of Section 4 notification dated 05.11.1980 and 6 notification dated 21.05.1985 for its acquisition. In this light and keeping in view the multiple issues involved, which require fresh adjudication by the High Court, the instant case(s) ought to be remanded to the High Court.

4. Accordingly, the Miscellaneous Application(s) for recalling of order(s), as also Review Petition are allowed, and order dated 04.05.2017 is recalled. Civil Appeal No. 6230 of 2017 is restored to its original number.

Civil Appeal Nos. 6230/2017 and/2025 (arising out of SLP (C) No(s). of 2025 @ Diary No. 28063/2022)

5. It is clear that these matters fall within the category of cases remanded to the High Court in Group E of the three Judge Bench decision of this Court in Govt. of NCT of Delhi & Anr. vs. BSK Realtors LLP & Anr., reported in (2024) 7 SCC 370.

6. Accordingly, the civil appeals are partly allowed, the impugned order dated 08.02.2016 is set aside, WP(C)No.8526/2014, filed before the High Court of Delhi, is restored, and the matter is remitted to the High Court to determine the dispute in accordance with law.

7. The parties are, accordingly, directed to appear before the High Court on 24.02.2025.

8. It is clarified that we have not expressed any opinion on the merits of the case(s), and it goes without saying that all contentions are left open for being raised and contested before the

High Court.

9. As a result, the pending interlocutory applications, if any, also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/INHERENT JURISDICTION

MISCELLANEOUS APPLICATION No. _____ of 2025

(@ D.NO. 40951/2022)

IN

REVIEW PETITION (C) NO(S).....@ D.NO. 13945 OF 2019

IN

Civil Appeal No. 6149 of 2017

DELHI DEVELOPMENT AUTHORITY

APPLICANT(S)

VERSUS

ABHISHEK JAIN & OTHERS

RESPONDENT(S)

O R D E R

1. Delay condoned.

2. Learned counsel for the parties are *ad-idem* that in view of the multiple issues involved, which require fresh adjudication by the High Court, the instant case may be remanded to the High Court.

3. Accordingly, the Miscellaneous Application for recalling of order, as also the Review Petition are allowed, and order dated 04.05.2017 is recalled. Civil Appeal No. 6149/2017 is restored to its original number.

Civil Appeal No. 6149/2017

4. It is clear that this matter falls within the category of cases remanded to the High Court in Group E of the three Judge Bench decision of this Court in Govt. of NCT of Delhi & Anr. vs. BSK Realtors LLP & Anr., reported in (2024) 7 SCC 370.

5. Accordingly, the civil appeal is partly allowed, the impugned order dated 09.02.2015 is set aside, WP(C)No.8593/2014, filed

before the High Court of Delhi, is restored, and the matter is remitted to the High Court to determine the dispute in accordance with law.

6. The parties are, accordingly, directed to appear before the High Court on 24.02.2025.

7. It is clarified that we have not expressed any opinion on the merits of the case, and it goes without saying that all contentions are left open for being raised and contested before the High Court.

8. As a result, the pending interlocutory applications, if any, also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. _____ OF 2025
(DIARY NO.42177/2022)

IN
CIVIL APPEAL NO.6182/2017

DELHI DEVELOPMENT AUTHORITY

APPLICANT/APPELLANT

VERSUS

FLASH PROPERTIES PVT. LTD. & ORS.

RESPONDENTS

O R D E R

1. Delay condoned.

2. Civil Appeal No. 6640/2024, titled 'Land Acquisition Collector (South) vs. M/s Flash Properties Private Limited and others' stands partly allowed vide judgment dated 17.05.2024, reported as 'Govt. of NCT of Delhi & Anr. vs. BSK Realtors LLP & Anr.', reported in (2024) 7 SCC 370, wherein, as Item 22 in Group E of the judgment, the impugned judgment was set aside and the matter was remitted to the High Court for fresh adjudication.

3. In view of the fact that the impugned judgment has already been set aside, and the matter is before the High Court, the instant Miscellaneous Application is dismissed as having become infructuous.

4. As a result, the pending interlocutory application, if any, also stands disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025
PS

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. _____ OF 2025
(DIARY NO.446/2023)
IN
CIVIL APPEAL NO.6262/2017

DELHI DEVELOPMENT AUTHORITY

APPELLANT/APPLICANT

VERSUS

ANSAR AHMED AND OTHERS

RESPONDENTS

O R D E R

1. Delay condoned.

2. Learned counsel for the parties are ad-idem that, in view of the multiple issues involved, which require fresh adjudication by the High Court, this case may be remanded to the High Court.

3. Accordingly, the Miscellaneous Application for recalling of order is allowed, and order dated 04.05.2017 in Civil Appeal No. 6262/2017 is recalled. Civil Appeal No. 6262/2017 is restored to its original number.

Civil Appeal No. 6262/2017

4. It is clear that this matter falls within the category of cases remanded to the High Court in Group E of the three Judge Bench decision of this Court in Govt. of NCT of Delhi & Anr. vs. BSK Realtors LLP & Anr., reported in (2024) 7 SCC 370.

5. Accordingly, the civil appeal is partly allowed, the impugned order dated 08.03.2016 is set aside,

WP(C)No.5270/2015, filed before the High Court of Delhi, is restored, and the matter is remitted to the High Court to determine the dispute in accordance with law.

6. The parties are, accordingly, directed to appear before the High Court on 24.02.2025.

7. It is clarified that we have not expressed any opinion on the merits of the case, and it goes without saying that all contentions are left open for being raised and contested before the High Court.

8. As a result, the pending interlocutory application, if any, also stands disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025
PS

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/INHERENT JURISDICTION

MISCELLANEOUS APPLICATION NO. _____ OF 2025
(DIARY NO. 1001/2023)

IN
REVIEW PETITION (CIVIL) D.NO.23340/2018

IN
CIVIL APPEAL NO. 12110/2016

DELHI DEVELOPMENT AUTHORITY

APPELLANT/APPLICANT

VERSUS

URMIL MAKKER AND OTHERS

RESPONDENTS

WITH

CIVIL APPEAL NO. _____ OF 2025
(@ SPECIAL LEAVE PETITION (CIVIL) NO. _____ OF 2025)
(DIARY NO. 12327/2023)

WITH

CONTEMPT PETITION (CIVIL) NO. 1508 OF 2018

IN
CIVIL APPEAL NO. 12110 OF 2016

AND

CONTEMPT PETITION (CIVIL) No. 463 OF 2019

IN
MA 383/2018
IN
CIVIL APPEAL NO. 12110 OF 2016

O R D E R

1. Delay condoned.
2. Leave granted in SLP @ Diary No. 12327/2023.
3. Learned Senior Counsel for the Delhi Development Authority (DDA) states that the present matters pertain to common land, which was utilized for public purposes, without being formally acquired. Consequently, in order to put a quietus to the dispute, the Ministry of Housing and Urban Affairs had given an undertaking before this Court on 24.09.2018 in MA No. 383/2018 (which was filed by the DDA), for payment of compensation to the land owners in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Therefore, a sum of ₹7,86,48,000/- has been deposited in the Registry of this Court, as was directed by this Court *vide* order dated 07.09.2022 in Contempt Petition (C) No. 1508/2018.
4. Accordingly, these matters are disposed of with a direction to the Registry to transfer the aforesaid amount, along with interest accrued thereupon, to the Reference Court within two weeks, who in turn is directed to release the same in favour of the land owners within three weeks after verifying their share and identity.
5. If the landowners are entitled to raise a claim for further enhancement of the compensation, they shall be at

liberty to do so, in accordance with law, and subject to the objection(s) that may be taken by the applicants. It is clarified that the objection of limitation in seeking enhancement of compensation shall not be entertained, if they raise the claim under law within a period of thirty days from today.

6. Pending application(s), if any, are disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

.....J.
(UJJAL BHUYAN)

New Delhi;
JANUARY 08, 2025.
PS

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s). 42745/2022

[Arising out of impugned final judgment and order dated 04-05-2017
in C.A. No. No. 6187/2017 passed by the Supreme Court of India]

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

MAHENDER SINGH . & ANR.

Respondent(s)

IA No. 59442/2023 - CONDONATION OF DELAY IN FILING
IA No. 205357/2022 - RECALLING THE COURTS ORDER)

WITH

Diary No(s). 12635/2023 (XIV-A)

IA No. 61947/2023 - CONDONATION OF DELAY IN FILING
IA No. 61944/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 12639/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 61957/2023
FOR CONDONATION OF DELAY IN FILING ON IA 61958/2023
IA No. 61958/2023 - CONDONATION OF DELAY IN FILING
IA No. 61957/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 21786/2023 (XIV-A)

(FOR FOR RECALLING THE COURTS ORDER ON IA 107603/2023 FOR
CONDONATION OF DELAY IN FILING ON IA 107604/2023
IA No. 107604/2023 - CONDONATION OF DELAY IN FILING
IA No. 107603/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 23142/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 112726/2023
FOR CONDONATION OF DELAY IN FILING ON IA 112727/2023
IA No. 112727/2023 - CONDONATION OF DELAY IN FILING
IA No. 112726/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 34776/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 170912/2023
IA No. 170912/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 34835/2023 (XIV-A)

(FOR FOR RECALLING THE COURTS ORDER ON IA 170530/2023)

Diary No(s). 38181/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 189440/2023
FOR CONDONATION OF DELAY IN FILING ON IA 189444/2023
FOR EXEMPTION FROM FILING O.T. ON IA 189445/2023
IA No. 189444/2023 - CONDONATION OF DELAY IN FILING

IA No. 189445/2023 - EXEMPTION FROM FILING O.T.
IA No. 189440/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 40773/2022 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 196358/2022
FOR CONDONATION OF DELAY IN FILING ON IA 196363/2022
IA No. 196363/2022 - CONDONATION OF DELAY IN FILING
IA No. 196358/2022 - RECALLING THE COURTS ORDER)

Diary No(s). 40951/2022 (XIV-A)

IA No. 197171/2022 - CONDONATION OF DELAY IN FILING
IA No. 197166/2022 - RECALLING THE COURTS ORDER)

Diary No(s). 42177/2022 (XIV-A)

IA No. 55189/2023 - CONDONATION OF DELAY IN FILING
IA No. 202497/2022 - RECALLING THE COURTS ORDER)

Diary No(s). 402/2023 (XIV-A)

(FOR MODIFICATION OF COURT ORDER ON IA 1057/2023
FOR CONDONATION OF DELAY IN FILING ON IA 138916/2023
IA No. 138916/2023 - CONDONATION OF DELAY IN FILING
IA No. 1057/2023 - MODIFICATION OF COURT ORDER)

Diary No(s). 446/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 1444/2023
FOR CONDONATION OF DELAY IN FILING ON IA 1447/2023
IA No. 1447/2023 - CONDONATION OF DELAY IN FILING
IA No. 1444/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 674/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 2465/2023
FOR CONDONATION OF DELAY IN FILING ON IA 2468/2023
IA No. 2468/2023 - CONDONATION OF DELAY IN FILING
IA No. 2465/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 1001/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 4214/2023
FOR CONDONATION OF DELAY IN FILING ON IA 4217/2023
IA No. 4217/2023 - CONDONATION OF DELAY IN FILING
IA No. 4214/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 1464/2023 (XIV-A)

IA No. 6695/2023 - CONDONATION OF DELAY IN FILING
IA No. 6697/2023 - EXEMPTION FROM FILING O.T.
IA No. 6693/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 1465/2023 (XIV-A)

IA No. 6703/2023 - CONDONATION OF DELAY IN FILING
IA No. 6709/2023 - EXEMPTION FROM FILING O.T.
IA No. 6701/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 1466/2023 (XIV-A)

IA No. 6704/2023 - CONDONATION OF DELAY IN FILING
IA No. 6705/2023 - EXEMPTION FROM FILING O.T.
IA No. 6702/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 4091/2023 (XIV-A)

IA No. 20072/2023 - CONDONATION OF DELAY IN FILING
IA No. 20073/2023 - EXEMPTION FROM FILING O.T.
IA No. 20071/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 4990/2023 (XIV-A)

IA No. 24828/2023 - CONDONATION OF DELAY IN FILING
IA No. 24831/2023 - EXEMPTION FROM FILING O.T.
IA No. 24827/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 5711/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 28698/2023
FOR CONDONATION OF DELAY IN FILING ON IA 28701/2023
IA No. 28701/2023 - CONDONATION OF DELAY IN FILING
IA No. 28698/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 6523/2023 (XIV-A)

(FOR FOR RECALLING THE COURTS ORDER ON IA 33041/2023 FOR
CONDONATION OF DELAY IN FILING ON IA 33043/2023
IA No. 33043/2023 - CONDONATION OF DELAY IN FILING
IA No. 33041/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 6524/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 33039/2023 FOR CONDONATION OF
DELAY IN FILING ON IA 33042/2023
IA No. 33042/2023 - CONDONATION OF DELAY IN FILING
IA No. 33039/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 11767/2023 (XIV-A)

(IA No. 57785/2023- Application for Condonation of delay in filing
M.A.
IA No. 57784/2023 - RECALLING THE COURTS ORDER
IA No. 57785/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 12978/2023 (XIV-A)

IA No. 64709/2023 - CONDONATION OF DELAY IN FILING
IA No. 64708/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 13420/2023 (XIV-A)

IA No. 131237/2023 - CONDONATION OF DELAY IN FILING
IA No. 66347/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 14584/2023 (XIV-A)

IA No. 71274/2023 - CONDONATION OF DELAY IN FILING
IA No. 71275/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 14601/2023 (XIV-A)

IA No. 71310/2023 - CONDONATION OF DELAY IN FILING
IA No. 71308/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 21344/2023 (XIV-A)

(FOR RECALLING THE COURTS ORDER ON IA 105101/2023
FOR CONDONATION OF DELAY IN FILING ON IA 105106/2023
FOR EXEMPTION FROM FILING O.T. ON IA 105108/2023

IA No. 105106/2023 - CONDONATION OF DELAY IN FILING
IA No. 105108/2023 - EXEMPTION FROM FILING O.T.
IA No. 105101/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 22524/2023 (XIV-A)

IA No. 110340/2023 - CONDONATION OF DELAY IN FILING
IA No. 110338/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 27415/2023 (XIV-A)

IA No. 166957/2023 - CONDONATION OF DELAY IN FILING
IA No. 166958/2023 - EXEMPTION FROM FILING PAPER BOOKS
IA No. 130925/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 33298/2023 (XIV-A)

FOR RECALLING THE COURTS ORDER ON IA 162108/2023
FOR CLARIFICATION/DIRECTION ON IA 153912/2024
FOR CONDONATION OF DELAY IN FILING ON IA 175628/2024
IA No. 153912/2024 - CLARIFICATION/DIRECTION
IA No. 175628/2024 - CONDONATION OF DELAY IN FILING
IA No. 162108/2023 - RECALLING THE COURTS ORDER)

Diary No(s). 7295/2024 (XIV-A)

IA No. 40166/2024 - CONDONATION OF DELAY IN FILING
IA No. 40160/2024 - RECALLING THE COURTS ORDER)

Diary No(s). 28063/2022 (XIV)

(FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA
173573/2023
FOR EXEMPTION FROM FILING O.T. ON IA 173574/2023
FOR CONDONATION OF DELAY IN FILING ON IA 173575/2023
IA No. 173575/2023 - CONDONATION OF DELAY IN FILING
IA No. 173573/2023 - CONDONATION OF DELAY IN REFILING / CURING THE
DEFECTS
IA No. 173574/2023 - EXEMPTION FROM FILING O.T.)

Diary No(s). 20119/2023 (XIV)

(IA No. 107594/2023 - CONDONATION OF DELAY IN FILING
IA No. 107595/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Diary No(s). 40963/2022 (XIV-A)

IA No. 197225/2022 - CONDONATION OF DELAY IN FILING
IA No. 197222/2022 - RECALLING THE COURTS ORDER)

ITEM 8.19

DIARY NO(S). 12327/2023 (XIV)

(IA No. 173388/2023 - CONDONATION OF DELAY IN FILING, IA No.
173390/2023 - CONDONATION OF DELAY IN REFILING / CURING THE
DEFECTS)

ITEM 68

CONMT.PET.(C) NO. 1508/2018 IN C.A. NO. 12110/2016

(IA No. 55450/2019 - APPLICATION FOR PERMISSION, IA No. 19968/2019

- CLARIFICATION/DIRECTION, IA No. 55451/2019 - MODIFICATION, IA No. 195497/2022 - MODIFICATION OF COURT ORDER, IA No. 158564/2022 - MODIFICATION OF COURT ORDER)

ITEM 68.1

CONMT.PET.(C) No. 463/2019 in MA 383/2018 in C.A. No. 12110/2016 (XIV-A)

Date : 08-01-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Parties Ms. Sujeeta Srivastava, AOR

 Mr. Ashwani Kumar, AOR

 Mr. Sanjay Parikh, Sr. Adv.
 Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Ritwik Parikh, Adv.
 Mr. Satwik Parikh, Adv.
 Ms. Kritika, Adv.
 Mr. Rajat K. Mittal, Adv.
 Mr. Prateek Srivastava, Adv.
 Mr. Karun Sharma, Adv.
 Ms. Rajkumari Divyasana, Adv.

 Mr. Nishit Agrawal, AOR
 Ms. Sunieta Ojha, AOR
 Ms. Shalini Chandra, AOR
 M/S. Saharya & Co., AOR
 Ms. Binu Tamta, AOR

 Mr. Sanjay Poddar, Sr. Adv.
 Ms. Niharika Ahluwalia, AOR
 Mr. Arpit Sharma, Adv.
 Mr. Himagn Jain, Adv.
 Ms. Sonakshi Chaturvedi, Adv.
 Mr. Mihir Gupta, Adv.

 Mr. Sanjay Poddar, Sr. Adv.
 Mr. Ishaan Sharma, Adv.
 Ms. Mitali Gupta, Adv.
 Mr. Kumar Shitij, Adv.
 Mr. Nitin Mishra, AOR
 Mr. Shubham Shukla, Adv.
 Ms. Shambhavi Sharma, Adv.
 Mr. Saksham Kaushik, Adv.
 Mr. Govind, Adv.
 Mr. Aditya Kashyap, Adv.

 Mr. Sanjay Poddar, Sr. Adv.
 Ms. Manika Tripathy, AOR

Mr. Ashutosh Kaushik, Adv.

Mr. Sanjay Poddar, Sr. Adv.

Ms. Malvika Kapila, AOR

Ms. Tanwangi Shukla, Adv.

Ms. Harbani Shinh, Adv.

Ms. Shalu Sharma, AOR

Mr. T. L. Garg, AOR

Mr. Rajender Pd. Saxena, AOR

Mr. Rajendra Prasad Saxena, Adv.

Mr. N.p. Sahni, Adv.

Mr. Vineet Sinha, Adv.

Ms. Ranjeeta Rohatgi, AOR

Mr. Munawwar Naseem, Adv.

Ms. Sanjna Dua, Adv.

Ms. Namrata Langade, Adv.

M/S. Dua Associates, AOR

Mr. Bankey Bihari, AOR

M/S. Vedya Partners Aor, AOR

Mr. Jayant Mehta, Sr. Adv.

Mr. Bharat Arora, Adv.

Mr. Lakshay Raheja, Adv.

Mr. Gourav Arora, Adv.

Mr. Manikya Khanna, Adv.

Mr. Vikramjeet Banerjee, A.S.G.

Mr. Mukesh Kumar Maroria, AOR

Mrs. Sunita Sharma, Adv.

Mr. Balendu Shekhar, Adv.

Mr. Anukalp Jain, Adv.

Mr. A K Kaul, Adv.

Mr. Rohit Pandey, Adv.

Mr. Raman Yadav, Adv.

Mr. Padmesh Mishra, Adv.

Mr. A K Panda, Adv.

Mr. Abhay Kumar, AOR

Mr. Shagun Ruhil, Adv.

Ms. Kusum Pandey, Adv.

Mr. Karan Chopra, Adv.

Mr. Vikas Kumar, AOR

Mr. B. Krishna Prasad, AOR

Mr. Atul Kumar, AOR

Dr. Sumant Bharadwaj, Adv.

Mr. Vedant Bharadwaj, Adv.

Ms. Mridula Ray Bharadwaj, AOR
Mr. D.M.sharma, Adv.
Ms. Surbhi Sharma, Adv.

Ms. Iti Sharma, Adv.
Mr. Arvind Kumar Gupta, AOR
Mr. Abhieshumat Gupta, Adv.

Mr. Rajiv Ranjan Dwivedi, AOR
Ms. Charu Ambwani, AOR
Ms. Neeru Vaid, AOR

Mr. Rajiv Kumar Ghawana, Adv.
Mr. T. V. S. Raghavendra Sreyas, AOR
Mr. Vikalp Chandela, Adv.
Mr. Sachin Chaudhary, Adv.
Mr. Ashish Kumar, Adv.

Mr. Vishal Arun Mishra, AOR

Ms. Smita Maan, AOR
Mr. Vishal Maan, Adv.

Mr. Satya Darshi Sanjay, A.S.G.
Mr. B.k. Satija, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Samta Pushkarna Mishra, Adv.
Mr. C.k. Sharma, Adv.
Mr. C.K. Sharma, Adv.
Mr. Adarsh Kr. Pandey, Adv.
Mr. Gautam Kumar, Adv.
Mr. Manish, Adv.
Mr. Vishnu Kant, Adv.
Dr. N. Visakamurthy, AOR

Mr. Rachita Kadyan, Adv.
Mr. Atul Kumar, AOR
Ms. Rachita Kadyan, Adv.
Ms. Sweety Singh, Adv.
Ms. Archana Kumari, Adv.
Mr. Rahul Pandey, Adv.
Mr. Avs Kadyan, Adv.
Mr. Sudipta Singha Roy, Adv.
Mr. Harsh Kumar, Adv.
Mr. Vb Pandey, Adv.
Mr. Himanshu Raj, Adv.
Mr. Tara Chauhan, Adv.

Ms. Sujeeta Srivastava, AOR

Ms. Prachi Bajpai, AOR

Mr. Chandra Prakash, AOR

Mr. Vivek Singh, Adv.
Mr. C.p. Rajwar, Adv.
Mr. Binay Kumar, Adv.
Mr. Abhinav Kumar, Adv.
Mr. Sanjay Kumar Pathak, Adv.
Dr. V.B. Pandey, Adv.

Mr. Mahesh Prasad, Adv.
Mr. Amitabh Kumar Verma, Adv.
Ms. Muskan Bhagat, Adv.
Mr. Babu Malayil, Adv.
Mr. B.l.shivhare, Adv.
Mr. Sher Singh, Adv.
Mr. Rajesh Singh Chauhan, AOR
Mr. Alok K. Prasad, Adv.

Mr. S K Rout, Adv.
Mr. Ganesh Singh, Adv.
Mr. Amit Acharya, Adv.
Mr. Aman Mehrotra, Adv.
Mr. Priyonkoo Anjan Gogoi, Adv.
Ms. Priti, Adv.
Mr. Prithvi Pal, AOR

Ms. Smita Maan, AOR
Mr. Vishal Maan, Adv.
Mr. Kartik Dabas, Adv.

Mr. Sanjay Poddar, Sr. Adv.
Ms. Shalini Chandra, AOR
Mr. Ishaan Sharma, Adv.
Ms. Nandita Mishra

Mr. Sanjay Poddar, Sr. Adv.
Ms. Manika Tripathy, AOR
Mr. Ashutosh Kaushik, Adv.
Mr. Barun Dey, Adv.

Mr. Sumit Bansal, Sr. Adv.
Mr. Utsav Garg, Adv.
Mr. Ananta Prasad Mishra, AOR
Mr. Aditya Bakshi, Adv.
Mr. Uddaibir Singh Kochar, Adv.

Mr. Sudharshan Lamba, AOR
Mr. Vikrant Yadav, Adv.
Mr. Aniket Seth, Adv.
Mr. Sharath Nambiar, Adv.
Mr. Madhav Sinhal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

MISCELLANEOUS APPLICATION Diary No(s). 42745/2022 (Item no. 6)

1. As per Office Report dated 06.01.2025, learned counsel for the applicant has not filed spare copies, due to which show cause notice could not be issued.
2. Learned counsel for the applicant shall do the needful within two days.
3. Issue fresh notice returnable on 22.01.2025.
4. Dasti, in addition, is permitted.

Diary No. 12635 of 2023 (Item no. 6.1), Diary No. 12639 of 2023 (Item No. 6.2) and Diary No. 20119 of 2023 (Item No. 8.6)

5. Learned senior counsel for the Delhi Development Authority undertakes to furnish the details of previous Court cases alleged to have filed by the father-in-law of the respondent, i.e., Mr. Ram Labhaya, his family members, or Ruchi Vihar Housing Welfare Society which was statedly constituted by Mr. Ram Labhaya and his family.
6. Post the matters on 22.01.2025.

Diary No. 23142 of 2023 (Item no. 6.4)

7. Respondent No. 5 is represented by Mr. N.Visakamurthy, learned AOR. It is reported that two other private respondents have passed away. Let the legal representatives be brought on record within one week by filing the necessary application. Upon such application being made, let notice be issued to the proposed legal representatives and service of notice be effected upon them through dasti. The other unserved respondents shall also be served through dasti.
8. List on 22.01.2025.

Diary No. 38181 of 2023 (Item No.6.7)

9. This matter is wrongly listed as it has already been disposed of vide our order dated 11.12.2024.

M.A. Diary no. 674/2023 (Item No. 6.13)

10. The Revenue Records produced before us reveal that Narender Kumar filed the writ petition before the High Court through General Power of Attorney (GPA) - Anil Gupta. The copy of the GPA has also been appended with the writ petition, through which, the subject land has been, in a way, entrusted to Anil Gupta and his associates. The revenue entries relied upon in the writ petition also indicate such transfer of right.

11. Learned counsel for the landowner, however, disputes this objection raised on behalf of the writ petitioner.

12. Let the affidavit of the original owner Narender Kumar, S/o Munni Lal, along with all the requisite documents, to show that he is the owner in continuous possession of the subject land, be placed on record.

13. The documents relied upon for sanction of mutation be also appended with the affidavit.

14. Post this matter on 22.01.2025.

Miscellaneous Application No. _____ of 2025(@ D.NO.21786/2023) in Civil Appeal No. 8648 of 2016, Miscellaneous Application No. of 2025(@ D.NO.402/2023) in Review Petition (c) No(S). @ D.No. 27346 OF 2019 in Civil Appeal No. 8639 of 2016 (Item nos. 6.3 and 6.11)

15. Delay condoned.

16. The Miscellaneous Applications are disposed of in terms of the Signed Order.

17. As a result, the pending interlocutory application(s), if any, also stands disposed of.

MISCELLANEOUS APPLICATION No. _____ of 2025(@ D.NO.34776 of 2023) in Review Petition (C) No(s).....@ D.No. 41760 Of 2018 in Civil Appeal No. 8624 Of 2016, Miscellaneous Application No. _____ of 2025(@ D.NO. 34835/2023) in Civil Appeal No. 8624 of 2016 (Item nos. 6.5 and 6.6)

18. The Miscellaneous Applications are disposed of in terms of the Signed Order.

19. As a result, the pending interlocutory application(s), if any, also stands disposed of.

Miscellaneous Application No. _____ Of 2025[@ Diary No.40773 Of 2022],Civil Appeal No(S).... Of 2025 @ SLP (C) No(S). Of.... 2025 @ Diary No. 28063 Of 2022, Miscellaneous Application No. _____ Of 2025 @ D.No. 40963/2022 (Item Nos. 6.8, 7.7 and 13.8)

20. Delay condoned.

21. Leave granted.

22. The Miscellaneous Application(s) for recalling of order(s), as also Review Petition are allowed, and order dated 04.05.2017 is recalled. Civil Appeal No. 6230 of 2017 is restored to its original number.

23. The civil appeals are partly allowed in terms of the Signed Order.

24. As a result, the pending interlocutory application(s), if any, also stands disposed of.

Miscellaneous Application No. _____ Of 2025(@ D.No. 40951 Of 2022) in Review Petition (c) No(S).....@ D.No. 13945 Of 2019 in Civil Appeal No. 6149 Of 2017 (Item No. 6.9)

25. Delay condoned.

26. The Miscellaneous Application(s) for recalling of order, as also the Review Petition are allowed, and order dated 04.05.2017 is recalled. Civil Appeal No. 6149/2017 is restored to its original number.

27. The civil appeal is partly allowed in terms of the Signed Order.

28. As a result, the pending interlocutory application(s), if any, also stands disposed of.

DIARY NO(S). 42177/2022 (Item no. 6.10)

29. Delay condoned.

30. Miscellaneous Application is dismissed as having become infructuous in terms of the signed order.

31. Pending application(s), if any, stands disposed of.

DIARY NO(S). 446/2023 (Item No. 6.12)

32. Delay condoned.

33. Miscellaneous application is allowed. Civil Appeal No.6262/2017 is restored to its original number.

34. Civil Appeal No.6262/2017 is partly allowed in terms of the signed order. Pending application(s), if any, stands disposed of.

DIARY NO. 1001/2023, DIARY NO. 12327/2023, CONMT.PET.(C) NO. 1508/2018 IN C.A. NO. 12110/2016 & CONMT.PET.(C) No. 463/2019 in MA 383/2018 in C.A. No. 12110/2016: (Item 6.14,8.19,68,68.1)

35. Delay condoned.

36. Leave granted in SLP@ Diary No. 12327/2023.

37. These matters are disposed of in terms of the signed order.

38. Pending application(s), if any, stands disposed of.

Rest of the matters

39. List on 22.01.2025.

(KAPIL TANDON)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (SH)

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed orders in Miscellaneous Application No.....of 2025(@ D.NO.21786 of 2023) in Civil Appeal No. 8648 of 2016, Miscellaneous Application No. of 2025(@ D.NO.402/2023) in Review Petition (c) No(S). @ D.No. 27346 OF 2019 in Civil Appeal No. 8639 of 2016 , Miscellaneous Application No. of 2025(@ D.NO.34776 of 2023) in Review Petition (C) No(s).....@ D.No. 41760 Of 2018 in Civil Appeal No. 8624 Of 2016, Miscellaneous Application No. of 2025(@ D.NO. 34835/2023) in Civil Appeal No. 8624 of 2016, Miscellaneous Application No. Of 2025[@ Diary No.40773 Of 2022],Civil Appeal No(S).... Of 2025 @ SLP (C) No(S). Of.... 2025 @ Diary No. 28063 Of 2022, Miscellaneous Application No. Of 2025 @ D.No. 40963 of 2022 in Review Petition (C) Nos.@ D.No. 5204 of 2020 in Civil Appeal No. 6230 of 2017, Miscellaneous Application No. Of 2025(@ D.No. 40951 Of 2022) in Review Petition (c) No(S).....@ D.No. 13945 Of 2019 in Civil Appeal No. 6149 Of 2017,DIARY NO(S). 42177/2022, DIARY NO(S). 446/2023,DIARY NO. 1001/2023, DIARY NO. 12327/2023, CONMT.PET.(C) NO. 1508/2018 IN C.A. NO. 12110/2016 & CONMT.PET.(C) No. 463/2019 in MA 383/2018 in C.A. No. 12110/2016 are placed on the file)