

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2022  
(Arising out of SLP(C) No. 3422 of 2020)

DELHI DEVELOPMENT AUTHORITY

APPELLANT(S)

VERSUS

GAJRAJ SINGH & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

These appeals take exception to the judgment and order dated 13.02.2017 passed by the High Court of Delhi at New Delhi in WP(C) No. 8632/2015, whereby the High Court has declared that the acquisition proceedings in respect of subject land had lapsed in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the 2013 Act').

The High Court in the impugned judgment noted that the possession of the subject land had been taken on 21.03.2007 which fact is supported by possession

receipt/revenue record.

Additionally, we also record the fact stated on affidavit by Delhi Development Authority that the compensation amount was released to the Land and Building Department, Government of NCT of Delhi on 28.02.2007. It is not necessary to dilate on this aspect having regard to the fact that the possession had been taken over by the acquiring authority which entails in vesting of title in the State.

Considering the exposition of the Constitution Bench in *Indore Development Authority vs. Manoharlal & Ors.*, reported in (2020) 8 SCC 129, no relief can be granted to the respondent(s), much less declaring that the acquisition proceedings had lapsed.

Hence, the impugned judgment and order is set aside and the appeal stand(s) allowed.

Consequently, the writ petition(s) filed by the private respondent(s) before the High Court stands dismissed.



Pending application(s) shall stand disposed of.

.....J  
(A.M. KHANWILKAR)

.....J  
(J.B. PARDIWALA)

New Delhi  
July 22, 2022

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. \_\_\_\_\_ OF 2022  
(Arising out of SLP(C) No. 9058 of 2019)

DELHI DEVELOPMENT AUTHORITY

APPELLANT(S)

VERSUS

BUSHRA KHAN & ORS.

RESPONDENT(S)

O R D E R

Despite service, no appearance has been entered on behalf of private respondent(s).

Leave granted.

This appeal takes exception to the judgment and order dated 19.02.2018 passed by the High Court of Delhi at New Delhi in WP(C) No. 12178/2016, whereby the High Court has declared that the acquisition proceedings in respect of subject land had lapsed in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the 2013 Act').

In the present case, the High Court has noted that paragraph 5 of the counter affidavit filed by the Land Acquisition Collector, which had clearly noted that

possession of the title land falling in Khasra number 409 (14-15) was taken on 16.07.2017 after preparing the possession proceedings on the spot and was handed over to the beneficiary department i.e. Delhi Development Authority immediately. Despite such a clear stand taken which is supported by contemporaneous record, the High Court has declared the acquisition proceedings had lapsed, which view is clearly in the teeth of the exposition of the Constitution Bench of this Court in *Indore Development Authority vs. Manoharlal & Ors.*, reported in (2020) 8 SCC 129.

In the present case, additionally, the High Court ought not to have entertained the writ petition despite having noted that the writ-petitioner was a subsequent purchaser of the subject property, which aspect has also been answered against the writ petitioner by this Court in *Shiv Kumar & Anr. Vs. Union of India & Ors.* reported in (2019) 10 SCC 229. On this count alone, the writ petition should have been dismissed by the High Court.

Hence, the impugned judgment and order is set aside and the appeal stand(s) allowed.

Consequently, the writ petition(s) filed by the private respondent(s) before the High Court stands

dismissed.

Pending application(s) shall stand disposed of.

.....J  
(A.M. KHANWILKAR)

.....J  
(J.B. PARDIWALA)

New Delhi  
July 22, 2022

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. \_\_\_\_\_ OF 2022  
(Arising out of SLP(C) No. \_\_\_\_\_ of 2022)  
[Diary No. 13930 of 2021]

DELHI DEVELOPMENT AUTHORITY

APPELLANT(S)

VERSUS

GAJAB SINGH & ORS.

RESPONDENT(S)

O R D E R

Despite service, no appearance has been entered on behalf of private respondent(s).

Delay condoned.

Leave granted.

This appeal takes exception to the judgment and order dated 25.07.2017 passed by the High Court of Delhi at New Delhi in WP(C) No. 9401/2015, whereby the High Court has declared that the acquisition proceedings in respect of subject land had lapsed in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the 2013 Act').

In the present case, the High Court has noted that possession report reflects that the possession of Khasra

No. 28 was duly taken and handed over to the requisition agency on the spot on 21.03.2007. Despite such a clear stand taken which is supported by contemporaneous record, the High Court has declared the acquisition proceedings had lapsed, which view is clearly in the teeth of the exposition of the Constitution Bench of this Court in *Indore Development Authority vs. Manoharlal & Ors.*, reported in (2020) 8 SCC 129.

Hence, the impugned judgment and order is set aside and the appeal stand(s) allowed.

Consequently, the writ petition(s) filed by the private respondent(s) before the High Court stands dismissed.

Pending application(s) shall stand disposed of.

.....J  
(A.M. KHANWILKAR)

.....J  
(J.B. PARDIWALA)

New Delhi  
July 22, 2022

ITEM NO.41

COURT NO.3

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). 3422/2020

(Arising out of impugned final judgment and order dated 13-02-2017 in WPC No. 8632/2015 passed by the High Court Of Delhi At New Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

GAJRAJ SINGH &amp; ORS.

Respondent(s)

EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(C) No. 9058/2019 (XIV)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 52115/2019, IA No. 52115/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 13930/2021 (XIV)

(FOR CONDONATION OF DELAY IN FILING ON IA 70623/2021  
IA No. 70623/2021 - CONDONATION OF DELAY IN FILING)

Date : 22-07-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s)

Ms. Binu Tamta, AOR  
Mr. Dhruv Tamta, Adv.

For Respondent(s)

Mr. Gagan Gupta, AOR  
Ms. Astha Tyagi, AOR  
Mr. Dinesh Chander Trehan, Adv.  
Ms. Neha Tripathi, Adv.

Mr. Atul Kumar, AOR  
Ms. Sweety Singh, Adv.  
Ms. Archana Kumari, Adv.  
Mr. Rahul Pandey, Adv.

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

Delay condoned.

Leave granted.

The appeals are allowed in terms of the signed order(s).

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
ASSISTANT REGISTRAR

[Three signed orders are placed on the file]