

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.12247 OF 2016
[ARISING FROM SPECIAL LEAVE PETITION (C) NO.37154 OF 2016]
[ARISING FROM SPECIAL LEAVE PETITION (C).....CC. NO.15525 OF 2016]

DELHI DEVELOPMENT AUTHORITY APPELLANT(S)

VERSUS

KANTA BAHRI & ORS. RESPONDENT(S)

J U D G M E N T

KURIAN, J.

1. Delay condoned.
2. Leave granted.
3. The issue, in principle, is covered against the appellant by judgments in Civil Appeal No. 8477 of 2016 arising out of Special Leave Petition (C) No. 8467 of 2015 and Civil Appeal No. 5811 of 2015 arising out of Special Leave Petition (C) No. 21545 of 2015.
4. This appeal is, accordingly, dismissed.
5. In the peculiar facts and circumstances of this case, the appellant is given a period of one year to exercise its liberty granted under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for initiation of the acquisition proceedings afresh.
6. We make it clear that in case no fresh acquisition proceedings are initiated within the said period of one year from today by issuing a Notification under Section 11 of the Act, the appellant, if in possession, shall return the physical possession of the land to the owner.

7. Pending applications, if any, stand disposed of.

8. No costs.

.....J.
[KURIAN JOSEPH]

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

NEW DELHI;
DECEMBER 16, 2016.

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).....CC No(s).
15514/2016

(Arising out of impugned final judgment and order dated 23/02/2016
in WPC No. 6490/2015 passed by the High Court of Delhi at New
Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

M/S. B.M. PROPERTIES AND ORS.

Respondent(s)

(With appln. (s) for c/delay in filing SLP and c/delay in refiling
SLP and office report)

WITH S.L.P.(C)...CC No. 15525/2016

(With appln.(s) for c/delay in filing SLP and c/delay in refiling
SLP and Office Report)

Date : 16/12/2016 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) Ms. Nupur, Adv.
For Ms. Garima Prashad, Adv.

For Respondent(s) Mr. D.V. Khatri, Adv.
Mr. Mansoor Ali, AOR
Ms. Shaista Jabeen, Adv.
Ms. Rubina Jawed, Adv.

UPON hearing the counsel the Court made the following

O R D E R

SLP (C) No.15514/2016

Learned counsel appearing for the petitioner submits that the
respondent is a subsequent purchaser.

Delay condoned.

Issue notice, returnable in six weeks.

Counter affidavit, if any, be filed within four weeks.

C.A. NO.....@ SLP (C) No.....@ CC No. 15525/2016

Delay condoned.

Leave granted.

The appeal is dismissed in terms of the signed judgment.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed 'Non-Reportable' Judgment, as mentioned above, is placed on the file)