

ITEM NO.6

COURT NO.4

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 20986/2022

(Arising out of impugned final judgment and order dated 18-08-2015 in WPC No. 2985/2015 passed by the High Court Of Delhi At New Delhi)

LAND AND BUILDING DEPARTMENT & ANR.

Petitioner(s)

VERSUS

KAPTAN SINGH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.68338/2023-CONDONATION OF DELAY IN FILING and IA No.68341/2023-EXEMPTION FROM FILING O.T. and IA No.68339/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 17-04-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Atul Kumar, AOR
Ms. Archana Kumari, Adv.
Mr. Amitabh Ranjan, Adv.
Mr. Rajiv Ranjan, Adv.

For Respondent(s)

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

It is the case on behalf of the petitioners that the possession of the land in question was already taken over in the year 2006. However thereafter, relying upon the earlier decision of this Court in the case of Pune Municipal Corporation and Another vs. Harakchand Misirimal Solanki and Others reported in (2014) 3 SCC 183, the High Court has allowed the Writ Petition 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 on the ground that the compensation was not tendered.

It is submitted that the decision of this Court in the case of *Pune Municipal Corporation (supra)*, which has been relied upon by the High Court, while passing the impugned judgment and order, has been overruled by the Constitution Bench of this Court in the case of *Indore Development Authority vs. Manoharlal & Ors. Etc.* reported in 2020 (8) SCC 129.

Issue notice on the application for condonation of delay as well as on the Special Leave Petition, returnable on 07.08.2023.

Dasti, in addition, is permitted.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR