

ITEM NO.13

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).7292/2023

(Arising out of impugned final judgment and order dated 19-01-2016 in WPC No.7731/2015 passed by the High Court Of Delhi At New Delhi)

LAND AND BUILDING DEPARTMENT & ANR.

Petitioner(s)

VERSUS

N.S. VASISHT & ORS.

Respondent(s)

(FOR ADMISSION and IA No.50437/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 24-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Ms. Sujeeta Srivastava, AOR

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 original writ petitioner was the subsequent purchaser.

It is submitted that however still the High Court has entertained the writ petition at the instance of the subsequent purchaser by observing that the subsequent purchaser can create the deemed lapse of acquisition under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 which is just contrary to three decisions of this Court which have been subsequently followed in which the view taken is that the subsequent purchaser has no locus either to challenge acquisition and/or pray for deemed lapse of acquisition. It is further submitted even otherwise the High Court has not properly appreciated the fact that the possession could not be taken over due to stay. Reliance is placed on the decision of this court in the case of *Indore Development Authority vs. Manoharlal and Others* 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 01.05.2023.

Dasti, in addition, is permitted.

Concerned respondents be served within 10 days from today.

(DEEPAK JOSHI)
COURT MASTER (SH)

(NISHA TRIPATHI)
ASSISTANT REGISTRAR