



For Respondent(s)

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

Learned counsel appearing on behalf of the petitioners has vehemently submitted that, in the present cases, the possession could not be taken due to the stay order and/or pending litigation, which was also submitted in the counter affidavit (in para 7) filed before the High Court.

It is submitted that therefore, in view of the decision of the Constitution Bench of this Court in the case of Indore Development Authority vs. Manoharlal & Ors. Etc. reported in 2020 (8) SCC 129, there shall not be any lapse, as the period during which the stay order was in operation is required to be excluded. It is further submitted that even otherwise, being the subsequent purchaser(s), the original writ petitioner(s) was/were not having any *locus*, as observed and held by this Court in the case of Shiv Kumar and Another vs. Union of India and others, (2019) 10 SCC 229 as well as Delhi Development Authority vs. Godfrey Phillips (I) Ltd. & Ors. [C.A. No.3073 of 2022 decided on 06.05.2022 and Delhi Administration Thr. Secretary, Land and Building Department & Ors. vs. Pawan Kumar & Ors. [C.A. No. 3646 of 2022 decided on 06.05.2022]

Issue notice on the application for condonation of delay as well as on the Special Leave Petitions, returnable on 10.04.2023.

*Dasti*, in addition, is permitted.

Respondents be served within a period of 10 days from today.

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

(NAND KISHOR)  
COURT MASTER