

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). 21006/2022

(Arising out of impugned final judgment and order dated 25-04-2016 in WP(C) No. 3740/2015 passed by the High Court Of Delhi At New Delhi)

GOVT. OF NCT OF DELHI

Petitioner(s)

VERSUS

SHASHI KANT GOENKA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.25038/2023-CONDONATION OF DELAY IN FILING and IA No.25039/2023-EXEMPTION FROM FILING O.T. and IA No.25040/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 13-02-2023 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) Mr. Atul Kumar, AOR
Ms. Sweety Singh, Adv.
Ms. Archana Kumari, Adv.
Mr. Rahul Pandey, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay in refiling is condoned.

Learned counsel appearing on behalf of the petitioner has vehemently submitted that in the present case, apart from the fact that compensation was deposited in the Treasury and even the recorded owner was Gaon Sabha, the possession of subject land could not be taken due to stay/pending litigation. Therefore, in view of the decision of the Constitution Bench of this Court Indore Development Authority vs. Manoharlal and Others, (2020) 8 SCC 129, there shall not be any deemed lapse under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

contd..

Issue notice on the application(s) for condonation of delay as well as on the Special Leave Petition, making it returnable on 20.03.2023.

Dasti service, in addition, is permitted.

The respondents be served within a period of ten days from today.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR