

ITEM NO.4

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). 3283/2023

(Arising out of impugned final judgment and order dated 04-01-2018 in WP(C) No. 3895/2015 passed by the High Court Of Delhi At New Delhi)

GOVT OF NCT OF DELHI & ANR.

Petitioner(s)

VERSUS

IQBAL AHMED & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.20884/2023-CONDONATION OF DELAY IN FILING)

Date : 08-02-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Ms. Astha Tyagi, AOR
Mr. Dinesh Chander Trehan, Adv.
Ms. Diksha Narula, Adv.

For Respondent(s)

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

Learned counsel for the petitioners has submitted that, as such, out of total 20 bighas and 5 biswas land acquired, except Khasra No. 56 Min, possession of the rest of the land was taken and handed over to the beneficiary department on different dates. It is submitted that only a small portion of the land acquired i.e. Khasra 56 Min, the possession could not be taken due to the area being built up. It is pointed out that even with respect to the said portion of the land, the dispute was pending before this Court ended in 2015. It is submitted that, in the present case, the High

Court has relied upon the decision of this Court in the case of Pune Municipal Corporation & Anr. vs. Harakchand Misirimal Solanki & Ors, (2014) 3 SCC 183 which has been overruled by this Court.

Issue notice on the application for condonation of delay as well as on the Special Leave Petition making it returnable on 27.03.2023.

Dasti, in addition, is permitted.

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

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

(NISHA TRIPATHI)
ASSISTANT REGISTRAR