

ITEM NO.9

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38278/2022

(Arising out of impugned final judgment and order dated 12-03-2018 in WP(C) No. 2122/2016 passed by the High Court Of Delhi At New Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

GANESH SETH & ORS.

Respondent(s)

(IA No.197631/2022-CONDONATION OF DELAY IN FILING and IA No.197632/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 06-01-2023 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. Manika Tripathy, AOR
Mr. Ashutosh Kaushik, Adv.
Mr. Manish Vashist, Adv.

For Respondent(s)

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

Learned counsel for the petitioner has vehemently submitted that, before the High Court, it was the specific case on behalf of the Delhi Development Authority [DDA]/Land Acquisition Collector[LAC] that the original writ petitioner had no *locus*. It is submitted that the aforesaid aspect has not been dealt with and/or considered at all. It is further submitted that it was also the case on behalf of the DDA/LAC, so stated in the counter affidavit, that the possession of the land in question was taken over from the landowner, however, thereafter the same was not handed over to the beneficiary. It is submitted that the aforesaid

stand taken by the DDA/LAC has been construed by the High court as admission that the possession of the land in question was not taken over from the landowner. It is submitted that the aforesaid observations made by the High Court that the possession was not taken over from the landowner is contrary to the stand taken by the DDA/LAC, so stated in the counter, before the High Court.

Issue notice on the application for condonation of delay as well as on the Special Leave Petition, returnable on 27.02.2023.

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