

ITEM NO.3 Court 5 (Video Conferencing) 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). 29070/2020

(Arising out of impugned final judgment and order dated 21-11-2017 in WP(C) No. 11469/2016 passed by the High Court of Delhi at New Delhi)

GOVT. OF NCT OF DELHI Petitioner(s)

VERSUS

GAURAV & ORS. Respondent(s)

(IA No.26437/2021-CONDONATION OF DELAY IN FILING and IA No.26439/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 10-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Ms. Astha Tyagi, AOR  
Mr. Dinesh Chander Trehan, Adv.  
Ms. Subhashree Mohapatra, Adv.  
Mr. Siddharth Raj Agarwal, Adv.

For Respondent(s)

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

Learned counsel for the petitioner submits that even if possession is not taken but compensation is offered/paid/deposited, the question of lapsing would not arise in light of exposition of the Constitution Bench in "Indore Development Authority vs Manoharlal And Ors. Etc." reported in (2020) 8 SCC 129. However, in the special leave petition, no clear statement of fact is noticed to the effect that the authorities had deposited/paid/offered compensation amount determined by the authority.

Learned counsel for the petitioner seeks time to file better affidavit after taking instructions including to amend the special leave petition, if so advised.

Accordingly, as prayed for, two weeks' time is granted.

List thereafter.

(SWETA DHYANI)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)