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NON-REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3169 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 6673 OF 2017]

[@ SPECIAL LEAVE PETITION (C) No. 23381 OF 2016]

DELHI DEVELOPMENT AUTHORITY Appellant(s)

VERSUS

ANIL KUMAR AND ORS. Respondent(s)

J U D G M E N T

KURIAN, J.

1. Delay condoned.

2. Leave granted.

3. The issue, in principle, is covered against the appellant by judgments in Civil Appeal No. 8477 of 2016 arising out of Special Leave Petition (C) No. 8467 of 2015 and Civil Appeal No. 5811 of 2015 arising out of Special Leave Petition (C) No. 21545 of 2015.

4. This appeal is, accordingly, dismissed.

5. In the peculiar facts and circumstances of this case, the appellant is given a period of one year to exercise its liberty granted under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for initiation of the acquisition proceedings afresh.

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6. We make it clear that in case no fresh acquisition proceedings are initiated within the said period of one year from today by issuing a Notification under Section 11 of the Act, the appellant, if in possession, shall return the physical possession of the land to the original land owner.

Pending applications, if any, stand disposed of.

No costs.

.....J.

[KURIAN JOSEPH]

.....J.

[R. BANUMATHI]

New Delhi;

February 23, 2017.

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ITEM NO.12

COURT NO.7

SECTION XIV

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C).....CC No(s).
23348/2016

(Arising out of impugned final judgment and order dated 11/08/2015

in WPC No. 2293/2015 passed by the High Court Of Delhi At New Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

SHANTI INDIA PVT LTD AND ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and c/delay in refileing SLP and office report)

WITH

S.L.P.(C)...CC No. 23381/2016

(With appln.(s) for c/delay in refileing SLP and appln.(s) for c/delay in filing SLP and Office Report)

Date : 23/02/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Ms. Garima Prashad, Adv.

For Respondent(s) Mr. Dhruv Mehta, Sr. Adv.
Mr. Yashraj Singh Deora, Adv.
Ms. Priyadarshinee Singh, Adv.
Mr. Akhil Sachar, Adv.

Ms. Jasmine Damkewala, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP (C) No. 23348 of 2016

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

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S.L.P.(C)...CC No. 23381 of 2016

Delay condoned.

Leave granted.

The appeal is dismissed in terms of the signed non-reportable Judgment.

Pending interlocutory applications, if any, stand disposed of.

(Jayant Kumar Arora)

Court Master (Renu Diwan)

Assistant Registrar

(Signed non-reportable Judgment is placed on the file)