

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). 16176/2022
(Arising out of impugned final judgment and order dated 25-05-2015
in WP(C) No. 7148/2014 passed by the High Court Of Delhi At New
Delhi)

GOVT. OF NCT OF DELHI

Petitioner(s)

VERSUS

HIMMAT SINGH & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.1092/2023-CONDONATION OF DELAY IN
FILING and IA No.1097/2023-EXEMPTION FROM FILING O.T. and IA
No.1101/2023-CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS)

Date : 16-01-2023 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) Mr. Chandan Kumar, Adv.
Mr. Chandra Prakash, AOR
Mr. Vivek Singh, Adv.
Mr. C.P. Rajwar, Adv.

For Respondent(s)

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

It is the case on behalf of the petitioner that the
possession of land in question was taken in the year 1987 and it
was so stated in the counter affidavit before the High Court. It
is submitted that however, thereafter, without considering the said
aspect, the High Court has allowed the writ petition relying upon
the decision of this Court in the case of Pune Municipal
Corporation & Anr. vs. Harakchand Misirimal Solanki & Ors., (2014)
3 SCC 183, which decision has been over-ruled by the decision of
the Constitution Bench of this Court Indore Development Authority
vs. Manoharlal and Others, (2020) 8 SCC 129.

contd..

Delay in refiling is condoned.

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

Dasti service, in addition, is permitted.

The respondents be served within a period of one week from today.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR