

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). 15722/2022

(Arising out of impugned final judgment and order dated 06-04-2015 in WP(C) No. 8265/2014 passed by the High Court Of Delhi at New Delhi)

GOVERNMENT OF NCT OF DELHI &amp; ANR.

Petitioner(s)

VERSUS

SUKHBIR SINGH &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.60/2023-CONDONATION OF DELAY IN FILING and IA No.61/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.63/2023-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS )

WITH

Diary No(s). 15577/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.187/2023-CONDONATION OF DELAY IN FILING and IA No.189/2023-EXEMPTION FROM FILING O.T. and IA No.190/2023-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS)

Date : 09-01-2023 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. Atul Kumar, AOR  
Ms. Sweety Singh, Adv.  
Ms. Archana Kumari, Adv.  
Mr. Rahul Pandey, Adv.  
Mr. Rajiv Ranjan, Adv.

For Respondent(s)

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

Diary No. 15722/2022

It is the case on behalf of the petitioners that in the present case and even so observed by the High Court in the impugned judgment and order, the possession could not be taken over due to the stay order. It is submitted that even the amount of

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compensation was deposited in the Treasury. It is submitted that, therefore, in light of the decision of the Constitution Bench of this Court Indore Development Authority vs. Manoharlal and Others, (2020) 8 SCC 129, the impugned judgment and order passed by the High Court is unsustainable.

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 ten days from today.

Diary No. 15577/2022

Learned counsel appearing on behalf of the petitioner has vehemently submitted that in the present case, the possession of the land in question was already taken over. However, despite the same and solely on the ground that the compensation was not paid to the original writ petitioner(s) and relying upon the decision of this Court in Pune Municipal Corporation & Anr. vs. Harakchand Misirimal Solanki & Ors., (2014) 3 SCC 183, the High Court has allowed the writ petition and has declared that the acquisition with respect to land in question is deemed to have lapsed. It is submitted that the aforesaid view taken by the High Court is just contrary to the Constitution Bench decision of this Court in Indore Development Authority vs. Manoharlal and Others, (2020) 8 SCC 129.

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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 ten days from today.

(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)  
ASSISTANT REGISTRAR