

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

Petition(s) for Special Leave to Appeal (C).....CC No(s).  
5039/2017

(Arising out of impugned final judgment and order dated 31/05/2016  
in WPC No. 2846/2015 passed by the High Court of Delhi at New  
Delhi)

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

MANISH AND ORS

Respondent(s)

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

WITH

S.L.P. (C) ...CC No. 5051/2017

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

Date : 20/03/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Vishnu B. Saharya, Adv.  
Mr. Viresh B. Saharya, Adv.  
For M/s Saharya & Co.

For Respondent(s)

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

S.L.P. (C) ...CC No. 5039/2017

Delay condoned.

Leave granted.

The appeal is dismissed in terms of the signed judgment.

S.L.P. (C) ...CC No. 5051/2017

Learned counsel appearing for the petitioner submits that on

account of operation of stay possession could not be taken.

Delay condoned.

Issue notice, returnable on 18.04.2017

(NARENDRA PRASAD)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR

(Signed 'Non-Reportable' Judgment, as above, is placed on the  
file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4280 OF 2017  
[@ SPECIAL LEAVE PETITION (C) NO. 8632 OF 2017]  
[@ SPECIAL LEAVE PETITION (C).....CC. NO. 5039/2017]

DELHI DEVELOPMENT AUTHORITY

APPELLANT(S)

VERSUS

MANISH 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.
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 owner.

7. Pending applications, if any, shall stand disposed of.

8. There shall be no orders as to costs.

.....J.  
[KURIAN JOSEPH]

.....J.  
[R. BANUMATHI]

NEW DELHI;  
MARCH 20, 2017.