

(2016) 08 SC CK 0123

SUPREME COURT OF INDIA

Case No: Civil Appeal No. 12046 of 2016 (Arising From Special Leave Petition (C) No. 32248 of 2016).

Delhi Development Authority -
Appellants @HASH Nagin Chand
Godha and Others

APPELLANT

Vs

RESPONDENT

Date of Decision: Aug. 8, 2016

Acts Referred:

- Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 - Section 24(2)

Hon'ble Judges: Kurian Joseph and Rohinton Fali Nariman, JJ.

Bench: Division Bench

Advocate: Ms. Garima Prashad, Advocate, for the Respondents

Final Decision: Disposed Of

Judgement

Kurian, J. - Leave granted.

2. 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.

3. This appeal is, accordingly, dismissed.

4. 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.

5. 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.

6. Pending applications, if any, stand disposed of.

7. No costs.