

Government of NCT of Delhi Through Secretary, Land & Building Department Vs Gautam Chopra

Court: SUPREME COURT OF INDIA

Date of Decision: Jan. 5, 2017

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

Citation: (2017) 5 JT 533 : (2017) 2 JT 89 : (2017) 2 Scale 313

Hon'ble Judges: Kurian Joseph, J; A. M. Khanwilkar, J

Bench: Division Bench

Advocate: Ms. Rachana Srivastava, Ms. Monika, Sukrit R. Kapoor, Advocates, for the Appellants; S.K. Rout, Ms. Amit Kalkal, Advocates, for the Respondents

Final Decision: Dismissed

Judgement

Kurian, J. - Delay condoned. Leave granted.

2. The issue, in principle, is covered against the appellants 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. The appeals filed by the

requisitioning authority, namely the Delhi Development Authority, have already been dismissed by this Court.

3. These appeals are, accordingly, dismissed.

4. In the peculiar facts and circumstances of these cases, the appellants are 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 appellants, if in possession, shall return the physical possession of the land to the original