

(2016) 08 SC CK 0262

SUPREME COURT OF INDIA

Case No: Civil Appeal No. 8531 of 2016, (Arising out of SLP(Civil)No.31274 of 2015) with Civil Appeal No. 8832 of 2016, (Arising out of SLP (Civil) No. 11474 of 2016).

Delhi Development Authority -
Appellant @HASH Geeta Dhawan
and Others

APPELLANT

Vs

RESPONDENT

Date of Decision: Aug. 31, 2016

Citation: (2016) 11 JT 358

Hon'ble Judges: Kurian Joseph and C. Nagappan, JJ.

Bench: Division Bench

Advocate: Mr. Amrendra Sharan, Senior Advocate, Mr. Vishnu B. Saharya, Mr. Viresh B. Saharya, (for M/s. Saharya and Co.), Advocates, for the Appellant; Mr. Sumeer Sodhi, Mr. Arjun Nanda and Mr. T. Mahipal, Advocates, for the Respondent

Final Decision: Disposed Of

Judgement

Kurian, J. - Special Leave Petition(C) Np. 11474 of 2016 is taken on board.

2. Leave granted.

3. The issue, in principle, is covered against the appellant by judgment in Civil Appeal No.8477 of 2016 arising out of Special Leave Petition(Civil)No.8467 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 original land owner.

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