

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6078 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 14419 OF 2017]

[@ SPECIAL LEAVE PETITION (C)CC 19842 OF 2016]

DELHI DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

ISHWAR SINGH AND ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Delay condoned.

2. Leave granted.

3. Admittedly, the compensation has not been paid to the land owner(s). Therefore, the High Court is right in its conclusion that the proceedings have lapsed. This appeal is, accordingly, dismissed.

4. However, in the peculiar facts and circumstances of this case, the appellant is given a period of six months 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 original land owner.

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

No costs.

.....J.
[KURIAN JOSEPH]

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

New Delhi;
May 02, 2017.



JUDGMENT