

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.9686 OF 2024

(Arising out of SLP(C)19242/24 @ D.52354/2023)

GOVT.OF NCT OF DELHI & ANR.

... APPELLANTS

Versus

MANISH CHAUDHARY AND ORS

... RESPONDENTS

O R D E R

1. Delay condoned.

2. Leave granted.

3. We find that the issue involved in the instant appeal is squarely covered in favour of List on 25.09.2024 before a three-Judge Bench comprising of Hon'ble Mr.Justice Surya Kant, Hon'ble Mr.Justice Dipankar Datta and Hon'ble Mr.Justice Ujjal Bhuyan. the appellants in view of the Constitution Bench decision of this Court in Indore Development Authority vs. Manoharlal & Ors. Etc., reported in (2020) 8 SCC 129, read with the three-Judge Bench decision of this Court in Delhi Development Authority vs. Tejpal & Ors., (2024) SCC Online SC 1091. The instant case falls in the same category as List E.2, appended with the above-cited three-Judge Bench judgment. Consequently, the acquisition under the Land Acquisition Act, 1894 has not lapsed.

4. The impugned judgment passed by the High Court is, accordingly, set aside and the appeal is allowed. The respondents are, however, entitled to compensation in accordance with law.

5. As a result, the pending interlocutory applications also stand disposed of.

.....J.
(SURYA KANT)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
AUGUST 20, 2024.

ITEM NO.68

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)Diary No(s).17839/2023

(Arising out of impugned final judgment and order dated 01-02-2016 in WP(C) No.7830/2015 passed by the High Court of Delhi at New Delhi)

GOVERNMENT OF NCT OF DELHI & ANR.

Petitioner(s)

VERSUS

PUSHPENDRA KUMAR & ORS.

Respondent(s)

(FOR ADMISSION and I.R.

IA No. 265185/2023 - CONDONATION OF DELAY IN FILING

IA No. 265186/2023 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS

IA No. 265187/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Diary No(s). 52354/2023 (XIV)

(IA FOR CONDONATION OF DELAY IN FILING ON IA 265468/2023 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA

265469/2023 FOR EXEMPTION FROM FILING O.T. ON IA 265471/2023

IA No. 265468/2023 - CONDONATION OF DELAY IN FILING

IA No. 265469/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 265471/2023 - EXEMPTION FROM FILING O.T.)

Date : 20-08-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)

Ms. Sujeeta Srivastava, AOR

Mr. Atul Kumar, AOR

For Respondent(s)

Ms. Niharika Ahluwalia, AOR

Mr. Arpit Sharma, Adv.

Mr. Himagn Jain, Adv.

Ms. Sonakshi Chaturvedi, Adv.

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

Diary No(s).17839/2023

List on 25.09.2024 before a three-Judge Bench comprising of Hon'ble Mr.Justice Surya Kant, Hon'ble Mr.Justice Dipankar Datta and Hon'ble Mr.Justice Ujjal Bhuyan.

Diary No(s). 52354/2023

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

As a result, the pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)

ADDITIONAL REGISTRAR

(Signed order in SLP(C)No.....D.No.52354/2023 is placed on the file)

(PREETHI T.C.)

ASSISTANT REGISTRAR