

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). 5564/2023

(Arising out of impugned final judgment and order dated 22-09-2017 in WP(C) No. 6108/2015 passed by the High Court Of Delhi At New Delhi)

GOVT. OF NCT OF DELHI

Petitioner(s)

VERSUS

PARAM MITRA MANAV NIRMAN SANSTHAN & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.37781/2023-CONDONATION OF DELAY IN FILING and IA No.37784/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 27-02-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Ms. Astha Tyagi, AOR
Mr. Dinesh Chander Trehan, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Learned counsel appearing on behalf of the petitioner has submitted that in the present case, though the possession of the land in question was already taken over on 11.02.2003, the Hon'ble High Court relying upon the decision of this Court in the case of Pune Municipal Corporation & Anr. vs. Harakchand Misirimal Solanki & Ors., (2014) 3 SCC 183 has allowed the writ petition and declared that the acquisition with respect to the land in question is deemed to have lapsed. It is submitted that the view taken by the High Court is just contrary to the decision of the Constitution Bench of this Court Indore Development Authority vs. Manoharlal and Others, (2020) 8 SCC 129 by which even the relied upon decision in the case of Pune Municipal Corporation (supra) has been over-ruled by this Court.

contd..

Issue notice on the application for condonation of delay as well as on the Special Leave Petition, making it returnable on 14.04.2023.

Dasti service, in addition, is permitted.

The respondents be served within a period of ten days from today.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR