

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 123 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 391 OF 2017]

[@ SPECIAL LEAVE PETITION (C)CC NO. 4790 OF 2016]

GOVERNMENT OF NCT OF DELHI THROUGH
SECRETARY, LAND & BUILDING DEPARTMENT
AND ANR.

APPELLANT (s)

VERSUS

GAUTAM CHOPRA & ORS.

RESPONDENT (s)

WITH

CIVIL APPEAL NO. 124 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 392 OF 2017]

[@ SPECIAL LEAVE PETITION (C)CC NO. 4942 OF 2016]

WITH

CIVIL APPEAL NO. 125 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 393 OF 2017]

[@ SPECIAL LEAVE PETITION (C)CC NO. 8077 OF 2016]

J U D G M E N T

KURIAN, J.

1. 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 land owner.

Pending applications, if any, stand disposed of.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[A. M. KHANWILKAR]

New Delhi;
January 05, 2017.

ITEM NO.51

COURT NO.7

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C).....CC No(s).
4790/2016

(Arising out of impugned final judgment and order dated 23/12/2014
in WPC No. 7378/2014 passed by the High Court Of Delhi At New
Delhi)

GOVERNMENT OF NCT OF DELHI THROUGH SECRETARY,
LAND & BUILDING DEPARTMENT & ANR.

Petitioner(s)

VERSUS

GAUTAM CHOPRA & ORS.

Respondent(s)

(with appln. (s) for c/delay in filing SLP and office report)
with

SLP (C).....CC No. 4942 of 2016

(with appln. (s) for c/delay in filing SLP and office report)

SLP (C).....CC No. 5500 of 2016

(with appln. (s) for c/delay in filing SLP and office report)

SLP (C).....CC No. 6351 of 2016

(with appln. (s) for c/delay in filing SLP and office report)

SLP (C).....CC No. 8077 of 2016

(with appln. (s) for c/delay in filing SLP and office report)

Date : 05/01/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Ms. Rachana Srivastava, Adv.
Ms. Monika, Adv.
Mr. Sukrit R. Kapoor, Adv.

For Respondent(s) Mr. S. K. Rout, Adv.
Ms. Amit Kalkal, Adv.

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

SLP (C).....CC No. 4790 of 2016, SLP (C).....CC No. 4942 of 2016,
SLP (C).....CC No. 8077 of 2016

Delay condoned.

Leave granted.

The appeals are dismissed in terms of the signed non-reportable Judgment

Pending interlocutory applications, if any, stand disposed of.

SLP (C)CC No. 5500 of 2016

Delay condoned.

Issue notice, returnable on 16.01.2017.

Tag with SLP (C) No. 26724 of 2015.

SLP (C)CC No. 6351 of 2016

Delay condoned.

Issue notice, returnable on 31.01.2017.

Issue notice on the application for impleadment also.

Tag with SLP (C) No. 19204 of 2015.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)