

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9595 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 18202 OF 2015]

DELHI DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

KAILASH CHAND GUPTA & ORS.

Respondent(s)

WITH

CIVIL APPEAL NO. 9597 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 21348 OF 2015]

WITH

CIVIL APPEAL NO. 9597 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 21349 OF 2015]

WITH

CIVIL APPEAL NO. 9600 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 33356 OF 2015]

WITH

CIVIL APPEAL NO. 9601 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 34784 OF 2015]

WITH

CIVIL APPEAL NO. 9602 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 8833 OF 2016]

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The issue, in principle, is covered against the appellant 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.

3. These appeals are, accordingly, dismissed.

4. In the peculiar facts and circumstances of these cases, 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.

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.

Pending applications, if any, stand disposed
of.

No costs.

.....J.

[KURIAN JOSEPH]

.....J.

[ROHINTON FALI NARIMAN]

New Delhi;

September 22, 2016.



JUDGMENT