

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5546 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 32631 OF 2015]

DELHI DEVELOPMENT AUTHORITY Appellant (s)

VERSUS

KRISHNA RAJAURIA @ KRISHNA SAINI & ORS. Respondent(s)

WITH

CIVIL APPEAL NO. 5545 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 32633 OF 2015]

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. It is the case of the appellant that the possession could not be taken or compensation could not be paid to the respondents because of operation of stay.

3. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 came into operation on 01.01.2014.

4. The learned counsel for the respondents, on instruction, submits that there was no stay operating in the case of the party-respondents. The stay was in the case of *Ruchi Vihar Housing Welfare Society Vs. Govt. of NCT of Delhi and others.* The

party-respondents herein are neither parties to the writ petition nor members of the Society. The submission that there was no stay in the case of the lands of the party-respondents is recorded.

5. In that view of the matter, nothing prevented the appellant from taking possession or paying compensation within the time contemplated under Section 24(2) of the Act.

6. Having admittedly not complied with the above statutory requirement, we do not find any merit in these appeals, which are, accordingly, dismissed.

.....J.
[KURIAN JOSEPH]

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

New Delhi;
April 24, 2017.

JUDGMENT