

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 11855 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 8771 OF 2016]

DELHI DEVELOPMENT AUTHORITY Appellant(s)

VERSUS

HARISH SAWHNEY & ORS. Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. This is a case where transfer is made after Section 4(1) Notification under The Land Acquisition Act, 1894, but prior to Section 6(1) Declaration.
3. This appeal is, accordingly, dismissed.
4. In the peculiar facts and circumstances of this case, 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 owner.

Pending applications, if any, stand disposed of.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
November 29, 2016.

SUPREME COURT OF INDIA



JUDGMENT