

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6356 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 14784 OF 2017]
[@ SPECIAL LEAVE PETITION (C).....CC. NO. 5422/2017]

DELHI DEVELOPMENT AUTHORITY APPELLANT (S)

VERSUS

SHASHI KANT GOENKA AND ORS RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Delay condoned.

2. Leave granted.

3. 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.

4. This appeal is, accordingly, dismissed.

5. In the peculiar facts and circumstances of this case, the appellant is given a period of six months 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.

6. We make it clear that in case no fresh acquisition proceedings are initiated within the said period of six months 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.

7. Pending applications, if any, shall stand disposed of.

8. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

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

NEW DELHI;
MAY 04, 2017.

SUPREME COURT OF INDIA



JUDGMENT