
(2016) 05 SC CK 0026

In the Supreme Court Of India

Case No : Civil Appeal No. 4800 of 2016 (Arising out of SLP (C) No. 30195 of 2015)

Delhi Development Authority

APPELLANT

Vs

Poonam Bhatia & Ors.

RESPONDENT

Date of Decision : 03-05-2016

Acts Referred:

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 — Section 24(2)

Citation : (2016) AllSCR 1635 : (2016) 5 JT 208

Hon'ble Judges : Kurian Joseph; Rohinton Fali Nariman, JJ.

Bench : Division Bench

Advocate : Ms. Pooja Dhar, Advocate, for the Respondent

Final Decision : Dismissed

Judgement

Kurian, J. - Leave granted.

2. The Delhi Development Authority has come up in appeal, aggrieved by the Judgment dated 11.11.2014 passed by the High Court of Delhi, whereby the acquisition of the property referred to in the Judgment in question of the land belonging to the respondents has been declared to have lapsed in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. On the finding that the possession has not been taken, the relevant portion of the impugned judgment is extracted below:

"It is an admitted position that neither physical possession of the subject land has been taken by the land acquiring agency, nor has any compensation been paid to the petitioners. The award was made more than five years prior to the commencement of the 2013 Act. All the ingredients of section 24(2) of the 2013 Act as interpreted by the Supreme Court and this Court in the following decisions satisfied....."

4. In the above circumstances, the appellant having not disputed the question of possession, before the High Court, there is no justification in filing the appeal before this Court.

5. The appeal is hence dismissed. No costs.