

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9217 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 27345 OF 2016]
[@ SPECIAL LEAVE PETITION (C)CC NO. 17281 OF 2016]

GOVERNMENT OF NCT OF DELHI
THE SECRETARY, LAND AND BUILDING
DEPARTMENT AND ANR.

APPELLANT (s)

VERSUS

KISHAN CHAND AND ORS.

RESPONDENT (s)

WITH

CIVIL APPEAL NO. 9218 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 27346 OF 2016]
[@ SPECIAL LEAVE PETITION (C)CC NO. 17349 OF 2016]

J U D G M E N T

KURIAN, J.

1. 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. The appeals filed by the requisitioning authority, namely the Delhi Development Authority, have already been dismissed by this Court.
4. These appeals are, accordingly, dismissed.
5. 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.

6. 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 16, 2016.