

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9605 OF 2016

[@ SPECIAL LEAVE PETITION (C) NO. 11376 OF 2016]

GOVT. OF NCT OF DELHI THR. SECRETARY

LAND AND BUILDING DEPARTMENT AND ANR. APPELLANT (s)

VERSUS

M/S USHA DYE CASTINGS PVT. LTD. & ORS. RESPONDENT(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The issue, in principle, is covered against the appellants 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.
3. This appeal is, accordingly, dismissed.
4. In the peculiar facts and circumstances of this case, the appellants are 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 appellants, 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]

JUDGMENT

.....J.

[ROHINTON FALI NARIMAN]

New Delhi;

September 22, 2016.