

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. _____ OF 2025

(Arising out of SLP (C)D.No.24857/2024)

DELHI DEVELOPMENT AUTHORITY

... APPELLANT

Versus

HARI PARKASH (DECEASED) THRU.LRS.AND ORS.

... RESPONDENTS

O R D E R

1. I.A. No.237514/2025 has been moved by the respondent-landowners for restraining the appellant-Delhi Development Authority from demolishing the construction on the subject land. Since the proposed demolition drive is scheduled to be held on 23.09.2025, i.e., today, the main case is taken on Board with the consent of counsel for the parties.

2. Leave granted.

3. The instant appeal is directed against the order dated 19.12.2017, passed by a Division Bench of the High Court of Delhi, whereby the impugned acquisition has been declared to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, '2013 Act'). However, in the operative part, it has been clarified, "*Since, the petitioners restrict their claim*

only to the compensation, same shall be paid within a period of one year in terms of the new Act."

4. Before this penultimate direction, the High Court has also observed the following in para 5 of the impugned order:

"5. The reading of the counter-affidavits fairly establish that the possession of the subject land has been taken and part of the khasra nos. have been handed over by the DDA to the DMRC and balance khasra nos. are in their possession. Para 7 of the counter-affidavit filed by the respondent/LAC would show that the compensation has not been paid to the recorded owners."

5. The DDA has preferred this appeal by way of special leave along with an application for condonation of 2261 days' delay in filing the same.

6. We have heard learned counsel for the parties on merits as well in support of the prayer for condonation of delay. Delay condoned.

7. As may be seen from the facts noticed by the Division Bench of the High Court, the acquisition is essentially meant for completion of the pending projects by Delhi Metro. The importance and eminence of the public project is thus beyond any doubt. The appellant, itself, acknowledged the fact before the High Court that possession of a part of the acquired land has already been taken and handed over to DMRC. Not only this, the respondents too have restricted their claim for payment of compensation under the new Act.

8. We find no reason for DDA, DMRC, or, for that matter, the Government of NCT of Delhi to challenge the order of the High Court at this belated stage when its operative portion is restricted only

with respect to the payment of compensation under the new Act. Further, keeping in mind the peculiar facts and circumstances brought on record, no case is made out for interfering with the impugned order.

9. The instant appeal is, thus, dismissed on merits. It goes without saying that the final portion of the impugned order, namely, that the claim is only limited to compensation to be paid as per the 2013 Act, is to be given effect. In other words, the acquisition continues to be in force, while the private respondents are entitled to compensation as per the 2013 Act.

10. The Land Acquisition Collector is, accordingly, directed to pass an appropriate award as early as possible, but not later than three months from the date of receipt of a copy of this order. In this regard, with a view to strike balance between the Constitutional rights of the respondent-landowners and the public interest involved in the Metro Project, we deem it appropriate to invoke our powers under Article 142 of the Constitution of India and direct that the compensation be quantified with the reference date as on 01.01.2014.

11. If the respondent-land owners are still dissatisfied with the quantum of compensation, they shall be at liberty to approach the appropriate forum for enhancement of compensation.

12. It may, however, be clarified that the pendency of proceedings before the Land Acquisition Collector prior to passing of the award and/or of any further proceeding for enhancement of compensation shall not be an impediment for the authorities to take over possession of the remaining acquired land and entrust the same

to DMRC for completion of the Metro Project.

13. As a result, the pending interlocutory application also stands disposed of.

.....J.
(SURYA KANT)

.....J.
(UJJAL BHUYAN)

.....J.
(NONGMEIKAPAM KOTISWAR SINGH)

NEW DELHI;
SEPTEMBER 23, 2025.

ITEM NO.45

COURT NO.2

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL)Diary No(s).45446/2023

[Arising out of impugned final judgment and order dated 16-08-2017 in WPC No.6695/2016 passed by the High Court of Delhi at New Delhi]

GOVT.OF NCT OF DELHI & ANR.

Petitioner(s)

VERSUS

AJIT SINGH AND ORS.

Respondent(s)

[ONLY IA NO. 237514/2025 IN D.No. 24857/2024 IS LISTED UNDER THIS ITEM].....Vide Hon'ble Court's order dated 01.08.2025 in SLP(C) Diary No. 36198/2025

With

SLP(C)D.No.24857/2024

(For application for permission on IA 237514/2025)

IA No.237514/2025 - Application for permission

Date : 23-09-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE UJJAL BHUYAN

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Ms. Astha Tyagi, AOR
Mr. Dinesh Chander Trehan, Adv.
Ms. Karishma Sharma, Adv.

Ms. Malvika Kapila, AOR
Ms. Tanwangi Shukla, Adv.
Ms. Harbani Shinh, Adv.
Ms. Apoorva Jain, Adv.

For Respondent(s) Ms. Shalini Chandra, AOR

Mr. Dr. Rajeev Sharma, AOR
Mr. Viresh Kumar Bhawra, Adv.
Mr. Prashant Sharma, Adv.
Mr. Manish Arora, Adv.
Mr. Rajneesh Tingal, Adv.
Ms. Km Monika, Adv.
Mr. Shantanu Singh, Adv.

Mrs. Archana Pathak Dave, A.S.G.
Mr. Mukesh Kumar Maroria, AOR

Mr. Kanu Agarwal, Adv.
Ms. Vanshaja Shukla, Adv.
Ms. Rajeshwari Shankar, Adv.
Mr. Udit Dedhiya, Adv.

Ms. Prachi Bajpai, AOR

Mr. Krishan Kumar, AOR
Mr. Nitin Pal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

SLP(C)D.No.24857/2024

1. I.A. No.237514/2025 has been moved by the respondent-landowners for restraining the appellant-Delhi Development Authority from demolishing the construction on the subject land. Since the proposed demolition drive is scheduled to be held on 23.09.2025, i.e., today, the main case is taken on Board with the consent of counsel for the parties.
2. Delay condoned.
3. Leave granted.
4. The instant appeal is dismissed on merits in terms of the signed order.
5. As a result, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(signed order is placed on the file)

(PREETHI T.C.)
ASSISTANT REGISTRAR