

SUPREME COURT OF INDIA

Delhi Development Authority

Vs.

Poonam Bhatia & Ors.

C.A.No.4800 of 2016

(Kurian Joseph and R.F.Nariman,JJ.,)

03.05.2016

JUDGMENT

Kurian Joseph, J.,

SLP(Civil)No. 30195 of 2015)

1. 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.