

SUPREME COURT OF INDIA

Government of NCT of Delhi The Secretary, Land & Building
Department & Anr.

Vs.

Kishan Chand & Ors.

C.A.No.9217 of 2016

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

16.09.2016

JUDGMENT

Kurian Joseph,J.,

SLP.(Civil)No.27345 of 2016

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.
7. Pending applications, if any, stand disposed of.

8. No costs.