

SUPREME COURT OF INDIA

Delhi Development Authority

Vs.

Prama Bhandari & Ors.

C.A.No.9603 of 2016

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

22.09.2016

JUDGMENT

Kurian Joseph,J.,

SLP(Civil)No.8835 of 2016

1. Leave granted.

2.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. 84 67 of 2015 and Civil Appeal No. 5811 of 2015 arising out of Special Leave Petition (C) No. 21545 of 2015.

3. This appeal is, accordingly, dismissed.

4. In the peculiar facts and circumstances of this case, 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.

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 appellant, if in possession, shall return the physical possession of the land to the original land owner.

6. However, we make it clear that this Judgment shall have no bearing on the dispute, which is now pending before the High Court in CS(OS)No. 1607 of 2003 and CS(OS)No. 1772 of 2003, which shall be disposed of by the High Court on their own merits. Pending applications, if any, stand disposed of. No costs.

7. Leave granted.

8. In view of the Judgment passed in C.A.No.9603 of 2016 (@ SLP (C) No. 8835/2016), as above, this appeal is dismissed.

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

10. No costs.