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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4326/2013**

VIJENDRA SINGH

..... Petitioner

Through: Mr. Akhil Sachar, Adv.

versus

UNION OF INDIA & OTHERS

..... Respondents

Through: Ms. Jyoti Tyagi, Adv. for Mr. Yeeshu Jain, Standing Counsel for L&B/LAC.
Mr. Ajay Verma, Adv. for DDA.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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30.11.2017

CM. NO. 34426/2017

This is an application filed by the petitioner seeking permission to withdraw this petition with leave to file a fresh petition. Mr. Akhil Sachar, counsel appearing for the petitioner submits that on account of formal defects, such an order is being prayed for.

Notice. Mr. Ajay Verma, Adv. accepts notice of the DDA and Ms. Jyoti Tyagi, Adv. for accepts notice for LAC/L&B. Both the counsels oppose the prayer made in this application. It is jointly submitted by them that the writ petition is liable to be dismissed on merits as the possession of the land has been taken and compensation has been paid. Thus, no relief is available to the petitioner in view of Section 24 (2) of the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Mr. Sachar submits that this writ petition was instituted prior to coming into effect the 2013 Act notified in the year 2014. He submits that additional grounds are available to the petitioner which have not been urged in this writ petition.

We have heard the learned counsel for the parties. In view of the averments made, we allow this application by making it clear that all legal objections raised by the respondents are kept open to be raised by them in case a fresh writ petition is filed.

The writ petition is dismissed as withdrawn with leave as prayed for.

CM. Nos. 10027/2013, 4376/2014, 15860/2014

Dismissed as infructuous.

G.S.SISTANI, J

V. KAMESWAR RAO, J

NOVEMBER 30, 2017/jg