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

Date of decision: 29th May, 2026

Uploaded on: 1st June, 2026

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W.P.(C) 8404/2024

RAVINDER KUMAR

.....Petitioner

Through: Mr. Praveen Mishra, Adv.
versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr Sanjay Kumar Pathak standing
Counsel with Mr. Sunil Kumar Jha,
Mr. Mohd Sueb Akhtar, Mrs. Joohu
Kumari, Mr. Kushagra Dixit Advs.
Mr. Mukesh Gupta, standing counsel
for MCD, Ms. Madhu Yadav, Ms.
Sneha Roy, Ms. Gurleen Kaur Sran,
Mr. Shishav Shukla, Advocates

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition challenges the impugned order dated 22nd February, 2024 passed by the LAC, District South West, Delhi, by which the application filed by the Petitioner dated 30th March 2012 under Section 18 of the Land Acquisition Act has been rejected on the ground of delay.
3. The background of the case is that on 4th February, 2010, a notification was issued u/s 4 of the Land Acquisition Act, 1894 by the Land Acquisition Collector, South West, for acquisition of property bearing khasra no. 141(old lal dora) admeasuring 140 sq. yds. (*hereinafter, 'the acquired land'*) situated



in the revenue estate of urbanized village Bijwasan, Delhi.

4. Thereafter, on 11th January, 2011, a declaration u/s 6 of Land Acquisition Act, 1894 was issued by the LAC.

5. The Petitioner, in the capacity of the owner of 1/2 part of the acquired land had filed an application under Section 18 of the Land Acquisition Act, 1894 on 30th March, 2012. With respect to this application, the first reminder was sent by the Petitioner to LAC on 29th December, 2022 and the second reminder was sent on 25th May, 2023.

6. Finally, on 22nd February, 2024, LAC passed the impugned order, dismissing the application filed by Petitioner u/s 18 of the Land Acquisition Act, 1894. Relevant portion of the impugned order dated 22nd February, 2024 reads as under:

“7. In the light of the above and pursuant to the relevant provisions of the Act, I hereby dismiss the applications for reference to the Competent court a/s 18 of the Act, submitted by the plaintiffs on the grounds of being time barred.”

7. As can be seen from the above order, the applications have been dismissed by the LAC itself, only on the ground of delay. The issue pertaining to delay in filing an application under Section 18 of the Land Acquisition Act is fully covered by a recent decision of this Court in ***W.P.(C) 2686/2018***, titled ***‘Anand Khanna v. Union of India’***, wherein this Court *vide* order dated 23rd April, 2026 has held as under:

*“13. Reliance has also been placed by the Petitioner on a similar case in **W.P.(C) 7817/2017** titled **Chet Singh Rana v. Union of India** where the Division Bench of this Court, *vide* order dated 5th September, 2017, has held that in any event, the*



Petitioner ought to be forwarded to the concerned District Judge, who would also decide the issue of limitation u/s 18 of the Act. The said order dated 5th September, 2017 is extracted below:

“Issue notice. Sh. Yeeshu Jain, Advocate accepts notice. The limited relief claimed in this petition under Article 226 of the Constitution is to set-aside an order of the respondent/LAC dated 31.01.2017, declining to forward the reference under Section 18 of the Land Acquisition Act, 1894 [hereafter “the 1894 Act”]. The Award in this case was made on 01.02.2012. The petitioner in this case requested for a reference on 15.01.2014. It was stated that the petitioner received the compensation on 28.11.2014 and he was in the dark till the impugned order, as to whether the reference had been forwarded to the competent court. The LAC in the impugned order expressed the opinion that the application under Section 18 of the 1894 Act is time-barred and that in so saying he relied upon the provisions of Section 12(2) of the 1894 Act.

*The respondent’s counsel argued that the impugned order should not be interfered with given the mandate of the law and the fact that the LAC was competent to decide and pronounce upon the issue of limitation. It is also urged that the compensation under Sections 30/31 of the 1894 Act was rendered on 30.10.2013. We have heard learned counsel for the parties. Without expressing any opinion on the merits of the issue of limitation, the **Court is of the view that the reference petition – which is the only opportunity***



provided by law to a land owner to establish his case for higher compensation by leading evidence, should be forwarded under Section 18 of the 1894 Act. At the same time, it is open to the reference Court to decide the issue of limitation, if so raised by the respondent, in opposition to the maintainability.

In view of the above, the order dated 31.01.2017 is set-aside. The LAC shall also forward the reference to the competent court within six weeks. All questions of law, including the issue of limitation are kept open. The writ petition is allowed in the above terms.”

14. *After having perused the record, it becomes clear that upon the receipt of the compensation, the Petitioner sought enhancement thereof by filing the reference petition u/s 18 of the Act.*

15. *The same ought not to be dismissed simply in the manner as it has been done vide the impugned order.*

16. *The impugned order is, accordingly, set aside.*

17. The reference petition filed by the Petitioner dated 19th December, 2011 shall now be sent to the concerned ld. District Judge for deciding the same, including the issue of limitation, in accordance with law.

18. *The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.”*

8. Following the order dated 23rd April, 2026 in *Anand Khanna (Supra)*,



this Court passed a similar order in *W.P.(C) 5796/2026* titled *Sita Ram v. Union of India*, wherein it has been held as under:

“12. Following the order dated 5th September, 2017 in Chet Singh Rana (Supra) and order dated 23rd April, 2026 in Anand Khanna (Supra), this Court is of the opinion that the applications under Section 18 and 30-31 deserve to be sent by the LAC to the appropriate reference Court - albeit with a note that according to the LAC, the application is barred by limitation.”

9. As held in the above orders, the LAC cannot itself dismiss the application on the ground of delay. At best the LAC can send the matter to the Reference Court, with its opinion that the application is barred.

10. Accordingly, the impugned order is set aside. Let the application filed by the Petitioner under Section 18 of the Land Acquisition be sent by the LAC to the appropriate reference Court within a period of one month with a note that according to the LAC, the application is barred by limitation.

11. The petition along with pending application(s), if any, is disposed of in these terms.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MAY 29, 2026/prg/ss