



\$~3

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

Date of Decision: 25th September, 2026

Uploaded on: 30th September, 2026

CNR No. DLHC010064702023

+ **W.P.(C) 2493/2023**

PREM SINGH VERMA

.....Petitioner

Through: **Mr. Akhilesh Kumar Singh, Advocate**

versus

**LAND ACQUISITION COLLECTOR
AND OTHERS**

.....Respondents

Through: **Mr Sanjay Kumar Pathak, Standing
Counsel with Mr Sunil Kumar Jha, Mr
M. S. Akhtar, Ms Musarrat Benazeer
Hasmi, Mr kushagra Dixit & Mr Aman
Singh, Advocates for R-1/LAC
Ms. Qurratulain, Mr Anil Kumar
Goyal, Ms Shagun Mishra, Advocates
for NHAI**

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Land Acquisition Collector (*hereinafter*, 'LAC') and Delhi Development Authority (*hereinafter*, 'DDA') to pay compensation to the Petitioner in terms of Section 24(1)(a) of the Right to Fair Compensation and transparency in Land



Acquisition, Rehabilitation, and Resettlement Act, 2013 (*hereinafter*, 'Act, 2013')

3. The brief background of the present case is that, the Petitioner claims rights in respect of land admeasuring 60 sq. yds. forming part of *Khasra* No. 2/14/1 situated in the Revenue Estate of Village Nangli Sakrawati, Najafgarh, New Delhi (*hereinafter*, 'the subject land').

4. This is the second writ petition filed by the Petitioner. In the earlier round, the Petitioner had filed writ petition being **W.P.(C) No. 3563/2016** titled '**Prem Singh Verma v. Land Acquisition Collector and Ors.**', wherein *vide* order dated 11th December, 2018, the Court had directed as under:

"[...]/2. In view of the above statement of learned counsels for the Petitioner, the Court issues the following directions:

- i. *The Petitioners will appear before the LAC (SW) at Room No. 12, Old Terminal Tax Building, Kapashera, New Delhi- 110037 on 21st January, 2019 at 11 am with all the relevant documents,*
- ii. ***The LAC will treat the present petitions in so far as the demand for compensation is concerned as a representation and will proceed to decide whether the Petitioners are entitled to the relief of compensation that they are praying for in terms of the 2013 Act.***
- iii. *Before coming to the above decision, the LAC will permit the Petitioners or their authorised representatives to inspect the relevant record in his presence and permit them to advance submissions on the basis thereof.*



- iv. *The decision of the LAC with reasons will be communicated to each of the Petitioners within a period of eight weeks after the hearing.*
3. *If the Petitioners are aggrieved by decisions of the LAC, they are free to pursue other proper remedies as may be available to them in accordance with law.*
4. *The petitions are accordingly disposed of.”*
5. As per the above order, the Petitioner was to appear before the LAC, and the petitions were to be considered as the Petitioners’ representation for compensation, and after considering the petitions, the LAC was to proceed in terms of the Act, 2013.
6. Pursuant thereto, the Petitioner had approached the LAC. However, the LAC, vide order dated 19th August, 2019 observed as under:

“With reference to the direction of Hon’ble High Court of Delhi in the matter of W.P.(C) 3563/2016. title as Prem Singh Verma Vs LAC & Ors. and W.P.(C) 4844/2016 title as Devi Lal Vs LAC & Ors. dated 11/12/2018. Sh. Prem Singh Verma S/o Ram Saroop R/o Plot No. 101, Laxmi Vihar. Nangli Sakrawati, Najafgarh, New Delhi, GPA Holder Notorised, Devi Lal S/o Jiva Ram. GPA Holder Notorised and Jitender, UDC, LA Branch appear before the undersigned on 14/03/19. The petitioners accompanied by their counsel Sh. A. K. Singh, Advocate submitted that they are possession of the suit lands and staying in the house constructed by them.

Representative of LA branch informed that as per the award records, the owner is shown in the name of Sh. Manoharlal S/o Kishan Chand R/o Village Nangli Sakrawati as per N.M.



*As per the report of the kanungo LAC dated 28/07/2019, which is reproduced below “Kh. No. 2//13/2 (1-07), 2//14/2 (2-11) acquired vide Award No. 13/2008-09 of Village Nangli Sakrawati and possession of Kh. No. 2//13/2 (1-7) and 2//14/1 (2-5) has been taken on 10/02/2012 and Kh. No. 2//14/1 (0-6) **possession has not been taken.** In respect of Kh. No. 2//16 min and 2//25 min has not been acquired vide award no. 13/2008-09”.*

Above order is based on Award No. 13/2008-09 based on the report submitted by Kanungo, LAC Branch.”

7. As can be seen from the aforesaid order, at that stage, the physical possession of the subject land had not yet been taken from the Petitioner.
8. However, as per reply dated 9th May, 2023, filed by the National Highways Authority of India (*hereinafter*, ‘NHAI’), the subject land was acquired by the **Award No. 13/2008/2009/SW** and the said award not challenged, thereby it is contended that the acquisition of the subject land remains valid in law.
9. It is stated that the relief in **W.P.(C) No. 3563/2016** was only in respect of compensation to be paid qua the subject land.
10. Further, it is also stated that the possession of the subject land has been taken over, and the same has been developed by NHAI, with NH-344M having already been constructed thereon. The said stand of the NHAI is as under:

“[...]5. That it is relevant to submit that the aforesaid award was not set aside by any court and this Hon’ble Court had merely disposed of the said writ petition bearing W.P. (C) No. 3563 of 2016 directing the



- petitioner herein to appear before the competent authority/LAC (SW) Kapashera with all the relevant documents and that the said LAC would treat the petition as representation and decide whether the petitioner is entitled to relief of compensation in terms of the 2013 Act.*
6. *That pursuant to which the aforesaid competent authority passed an order dated 19th August, 2019 in compliance with the aforesaid directions passed in order dated 1.12.2018 in W.P. (C) No. 3563 of 2016. That the Ld.Competent authority observed that the subject land possession had not been taken and that the owner was shown to be one Sh. Manohar Lal, S/o Kishan Chand as per the records. That the said order passed by the competent authority has never been challenged by the Petitioner herein before any Court.*
7. ***That it is relevant to submit the subject land was taken in possession by the Respondent No. 1 & 2 herein on 22.6.2021. A true and translated copy of Kabza report dated 22.6.2021 is annexed hereto and marked as ANNEXURE R-1.***
8. *That the subject land was declared National Highway by the Central Government under Section 2(2) of the National Highways Act, 1956 and assigned Serial No.NH-344M per Gazette Notification dated 3.4.2018, thereby assigning the subject land to the answering Respondents herein for development, maintenance and construction process of National Highways. A true and correct copy of the Gazette Notification dated 3.4.2018 is appended hereto and marked as **Annexure R-2**...*
11. As per the above affidavit of the NHAI, possession was taken on 22nd June 2021 and handed over to the NHAI on 7th September, 2021. The land has also been declared as a National Highway as per the National Highways Act, 1956. The relevant possession report and the notification dated 3rd April, 2018



declaring the land as a National Highway are extracted hereinbelow:

Possession Report

“Date: 22/06/2021

Report of the proceedings of handing over possession, village- Nangli Sakravati. Award No. 13/2008-09

Today on the date 22/06/2021 in accordance with the order No: ADM/LAC(S/W) order no. ADM/LAC/SW/2021- 22/27826, date 14/6/2021 which was acquired with reference to Land Award No 13/2008-09 in the village -Nangli Sakravati and its possession was not handed over to DDA as there was a built-up area on it. For handing over the possession of the built-up area as per scheduled programme on the date 22/06/2021 on the Dichaukalan D. T. C. Bus Depot from the office of ADM/LAC(S/W)

Deputy Tahseeldar Shri Mukul Yadav, Shri Manish Kanungo (Circle Inspector /Supervisor of Patwari),Patwari Hari Om remained present. From the Department of Land and Building Kailash sinh Patwari, Shri Rajesh Kumar Kanungo from Tahseel Dwarka , From the DDA Shri Om Prakash Tahseeldar with his staff and Shri Rakeshkumar, AE and Shri Sidhdharth Giri,JE PD-V, DDA were present on the site. From DDA side Shri Rambeer AE, DMDII, with JCB and T&P with labourers remained present.ACP (Najafgarh) and SHO , (Najafgarh)are present with large police force (Male and Female) .ADM /LAC (S/W) and SDM Najafgarh are also present on the site

Thereafter for handing over the possession of the remaining land all the staff with police force and JCB etc. reached the village Nangli Sakravati on the site. After demolition land of Khasra No. (Field book)



2// =14/1(0-6),17/2 (0-4)

9// 2/1min (0-3), 9//12/1/1min (0-1)22min (0-12),
27//15/2(0-3),16/1(0-10),25/1/2(04) 27//25/2/1(0-
4),6min(0-2) Possession of Total qata -patch or plot-
Area-2 Bigha 9 Biswa - was handed over on the site to
the Representative of Land and Building ,Shri Kailash
sinh Patwari after getting it vacated. Thereafter the
possession of this land as it is was handed over to Shri
Kailash Patwari Land and Building handed over to Shri
Om Prakash Tahseeldar of DDA. Thereafter the
possession of this land was handed over by Shri Om
Prakash ,Tahseeldaar DDA as it is position to Shri
Rajesh Kumar AE /PD-V and Shri Sidhdharth Giri J. E.
/PD-V. Due to stay of the ADJ court on Khasra No. 9//22
min (0-Bigha 4 Biswa) its possession was not handed
over.

The work of handing over possession was completed
peacefully.”

Notification

“ **S.O. 1466 (E).** – In exercise of the powers conferred
by sub-section (2) of section 2 of the National Highways
Act, 1956 (48 of 1956), the Central Government hereby
declares each of the highways specified in columns (2)
and (3) of the Table below to be a national highway.

The said highway, now declared to be national
highways, shall be deemed to be specified in the
Schedule to the said Act with the new serial numbers,
the new national highways numbers and the description
of the national highways thereof, as indicated in
columns (1), (2) and (3) respectively, of the said Table.

XXXX

XXXX

XXXX



<i>Serial No.</i>	<i>New National Highway NO.</i>	<i>Description of National Highways</i>
--------------------------	--	--

XXXX

XXXX

XXXX

<i>522</i>	<i>344M</i>	<i>The highway starting from its junction with NH-44 near Bankoli Village connecting Narela, Mundka, Najafgarh, Dwarka and terminating at its junction with NH-248 BB near Bhartal chowk in the NCT of Delhi.</i>
-------------------	--------------------	---

”

12. In so far as compensation is concerned, the stand of the LAC as per affidavit dated 7th February, 2026 is that pursuant to the order dated 11th December, 2018 in ***W.P.(C) No. 3563/2016***, the LAC had passed order dated 19th August, 2019, wherein it was observed that the possession of the subject land had not been taken over, and as per the LAC, the recorded owner of the subject land was Manohar Lal.

13. Furthermore, it is also contended that the Petitioner claims to have purchased the subject land from Shri Ram Kishore, through an Agreement to Sell and General Power of Attorney. However, the Petitioner has not been able to prove the title of Shri Ram Kishore on the subject land. The relevant portion of the additional affidavit filed by the LAC, dated 7th February, 2026



is as under:

“[...]9. That it is submitted that petitioner is claiming to have purchased the land from Shri Ram Kishore S/o Shri Nek Ram Dwivedi through Agreement to sale, General Power of Attorney and will dated 04.03.2008 i.e. after issuance of notification under section 4 and 6. Even the person from whom the petitioner claims to have purchased the land is not the recorded owner.

XXX XXX XXX

14. That it is submitted that as per record/Naksha Muntzamin, the ownership of the land comprised in khasra No. 2//1411 (2-11) is mentioned at serial No. 23 to 37 of the Naksha Muntzamin. Initially compensation amount was assessed in the name of persons mentioned at serial Nos. 23 to 37 of the Naksha Muntzamin. Later on corrigendums were issued and compensation amount for this khasra No. 2// 1411(2-11) was deducted from original compensation being disputed land. As per record compensation amount for the land in question has not been paid to any one... ”

14. In view of the fact that the ownership of the subject land has not been proved to be related to the predecessor of the Petitioner from whom the Petitioner is stated to have purchased the land, the contention of the LAC is that no compensation was paid.

15. Therefore, as of today, no compensation has been paid to any person.

16. In this background, the short issue as to whether the Petitioner is entitled to any compensation stands addressed, as the NHAI is stated to have already deposited the compensation with the LAC.

17. It is now for the LAC and thereafter the concerned Additional District Judge to consider the reference petition, if required, under Sections 30 and 31



of the Land Acquisition Act, 1894 (*hereinafter, 'Act, 1894'*) and examine the validity of the documents relied upon by the Petitioner and process the compensation in accordance with law.

18. Accordingly, the Petitioner is permitted to file a claim petition seeking compensation.

19. After examining the documents, the LAC may release the compensation. Thereafter, if the need arises, the LAC to make a reference under Section 30 and 31 of the Act, 1894 and the same be adjudicated within a period of six months.

20. The present petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

SEPTEMBER 25, 2026
'rs'/sm