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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 31st July, 2026******Uploaded on: 3rd August, 2026***# **CNR No. DLHC010297822026**+ **W.P.(C) 9337/2026****SMT. URMIL MAKKAR****.....Petitioner**Through: **Ms. Smita Maan, Mr. Vishal Maan &
Mr. Kartik Dabas, Advocates.**

versus

UNION OF INDIA**.....Respondent**Through: **Mr Sanjay Kumar Pathak Standing
Counsel with Mrs. K. K. Kiran Pathak,
Mr. Sunil Kumar Jha, Mr. Mohd Sueb
Akhtar and Mr. Kushagra Dixit
Advocates for LAC.****CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Smt. Urmil Makkar, seeking directions to the Land Acquisition Collector (*hereinafter*, 'LAC') to forward the Petitioner's reference application dated 3rd February, 2025 (*hereinafter*, 'the reference application') to the Principal District Judge, South-West District, Dwarka Courts, New Delhi for release of compensation to the Petitioner.
3. The background of the present case is that, a notification under Section



4 of the Land Acquisition Act, 1894 (*hereinafter*, 'Act, 1894') was issued on 13th December, 2000 in respect of the acquisition of the land comprised in *Khasra* No. 19//12 MIN (0-09) and 19//13 MIN (0-11), admeasuring a total of 1 bigha, situated in Revenue Estate of Village Pochanpur, New Delhi (*hereinafter*, 'the subject land').

4. The public purpose for which the subject land was acquired was the 'Dwarka Phase-II' project, under the planned development of Delhi.

5. The Petitioner is stated to have purchased the subject land on 12th May, 1986.

6. The LAC is stated to have passed the award being **Award no. 30/2002-03**, in respect of the subject land, on 9th December, 2002.

7. Pursuant thereto, the Petitioner had filed a writ petition being **W.P(C) 6153/2015** titled '**Urmil Makkar v. Govt. of NCT of Delhi and Ors.**' challenging the acquisition proceedings of the subject land. *Vide* judgement dated 6th October, 2015, the petition was allowed and the acquisition of the subject land was quashed by this Court. The relevant portion of the order dated 6th October, 2015 is set out below:

"[...]

*3. Admittedly, though physical possession of the subject land has been taken on 11.09.2002, compensation has not been paid to the petitioner. The Award is also more than five years prior to the commencement of the 2013 Act. Consequently, the decision of this Court in **Girish Chhabra** (supra) applies on all fours and the subject acquisition has lapsed.*



4. The writ petition is allowed by declaring that the acquisition in respect of the subject land has lapsed. There shall be no order as to costs.”

8. Thereafter, the Delhi Development Authority (*hereinafter, ‘the DDA’*) challenged the aforesaid order before the Supreme Court by ***SLP (C) No. 12110/2016*** titled ***‘Delhi Development Authority v. Urmil Makker and Ors.’***. The Supreme Court, *vide* order dated 8th January, 2025 disposed of the said SLP, with the following directions:

“1. Delay condoned.

2. Leave granted in SLP @ Diary No. 12327/2023.

*3. Learned Senior Counsel for the Delhi Development Authority (DDA) states that the present matters pertain to common land, which was utilized for public purposes, without being formally acquired. Consequently, in order to put a quietus to the dispute, the Ministry of Housing and Urban Affairs had given an undertaking before this Court on 24.09.2018 in MA No. 383/2018 (which was filed by the DDA), for payment of compensation to the land owners in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Therefore, a sum of ₹7,86,48,000/- has been deposited in the Registry of this Court, as was directed by this Court *vide* order dated 07.09.2022 in Contempt Petition (C) No. 1508/2018.*

4. Accordingly, these matters are disposed of with a direction to the Registry to transfer the aforesaid amount, along with interest accrued thereupon, to the Reference Court within two weeks, who in turn is directed to release the same in favour of the land owners within three weeks after verifying their share



and identity.

5. If the landowners are entitled to raise a claim for further enhancement of the compensation, they shall be at liberty to do so, in accordance with law, and subject to the objection(s) that may be taken by the applicants. It is clarified that the objection of limitation in seeking enhancement of compensation shall not be entertained, if they raise the claim under law within a period of thirty days from today.

6. Pending application(s), if any, are disposed of.”

9. Pursuant to the said order, the Petitioner is stated to have filed an application seeking reference under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 on 3rd February, 2025, bearing Diary No. 8834.

10. The copy of the original reference application has been handed over to Mr. Jha, Id. Counsel, today.

11. The prayer of Ms. Maan, Id. Counsel for the Petitioner is that the reference application be referred to the Principal District Judge, South-West District, Dwarka Courts, New Delhi, in order to enable expedited release of compensation to the Petitioner.

12. Further, Ms. Maan, Id. Counsel for the Petitioner also states that under the order of the Supreme Court, a fresh award qua acquisition of the subject land was passed on 1st October, 2019.

13. The Court has considered the matter. Considering these facts, the Supreme Court *vide* order dated 8th January, 2025, having granted liberty to the owners of the subject land to file claims for compensation within a period of 30 days from 8th January, 2025, the Petitioner filed the said application on



3rd February, 2025, within the prescribed period.

14. Accordingly, there is no reason why the reference application should be kept pending.

15. It is accordingly directed that the reference application be sent by the LAC to the reference Court *i.e.*, the Principal District Judge, South-West District, Dwarka Courts, New Delhi, within a period of one month from this order.

16. The Reference Court shall adjudicate the application of the Petitioner expeditiously.

17. It is also observed that the LAC has no justification for delaying the forwarding of the application in this manner. The Office of the LAC is directed to take stock of all pending applications and ensure that the same are forwarded to the concerned Reference Court expeditiously. Failing this, the concerned official/s shall be held personally responsible for any such delay.

18. The present petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 31, 2026/MR/SM