

IN THE SUPREME COURT OF INDIA

EXTRA-ORDINARY APPELLATE JURISDICTION

Petition for Special Leave to Appeal (Civil) Diary No. 38278 OF 2022

WITH PRAYER FOR INTERIM RELIEF

WITH

I.A. No. 197631 OF 2022

[APPLICATION FOR CONDONATION OF DELAY IN FILING SLP]

DELHI DEVELOPMENT AUTHORITY

...Petitioner(s)

VERSUS

GANESH SETH AND OTHERS

...Respondent(s)

To,

**1 GANESH SETH S/O. LATE HAR
GOPAL SETH,
R/O. 416, NEAR ROSARY SCHOOL
LANE, VILLAGE DHIRPUR, DELHI -
110009,
DISTRICT- NORTH DELHI, DELHI**

**PID: 85469/2023 FOR R[1]
IN DIARY NO. 38278/2022
(SEC XIV)**

**2 RANI SETH W/O LATE SHAMBHU
NATH SETH,
R/O. 416, NEAR ROSARY SCHOOL
LANE, VILLAGE DHIRPUR,
DELHI 110009,
DISTRICT- NORTH DELHI, DELHI**

**PID: 85470/2023 FOR R[2]
IN DIARY NO. 38278/2022
(SEC XIV)**

**3 KAPIL SETH S/O LATE KAILASH
NATH SETH,
R/O 416, ROSARY SCHOOL LANE,
VILLAGE DHIRPUR, DELHI 110009,
DISTRICT- NORTH DELHI, DELHI**

**PID: 85471/2023 FOR R[5]
IN DIARY NO. 38278/2022
(SEC XIV)**

**4 MEENAKSHI KAPOOR D/O LATE
KAILASH NATH SETH,
W/O. PRASHANT KAPOOR
R/O 1692, SOHAN GANJ,
KOHLAPUR ROAD, SUBZI MANDI
DELHI- 110007,
DISTRICT- NORTH DELHI, DELHI**

**PID: 85472/2023 FOR R[6]
IN DIARY NO. 38278/2022
(SEC XIV)**

**5 AJAY SETH S/O LATE KANSHI
NATH SETH,
R/O. 416, ROSARY SCHOOL LANE,
VILLAGE DHIRPUR, DELHI 110009,
DISTRICT- NORTH DELHI, DELHI**

**PID: 85473/2023 FOR R[10]
IN DIARY NO. 38278/2022
(SEC XIV)**

**6 ANJALI SAREEN W/O NAVEEN
SAREEN,
D/O LATE KANSHI NATH SETH,
R/O 416, ROSARY SCHOOL LANE,
VILLAGE DHIRPUR, DELHI-110009,
DISTRICT - NORTH DELHI, DELHI**

**PID: 85474/2023 FOR R[11]
IN DIARY NO. 38278/2022
(SEC XIV)**

**7 BINA SETH D/O LATE HAR
GOPAL SETH
R/O 416, ROSARY SCHOOL LANE,
VILLAGE DHIRPUR, DELHI 110009,
DISTRICT - NORTH DELHI, DELHI**

**PID: 85475/2023 FOR R[12]
IN DIARY NO. 38278/2022
(SEC XIV)**

WHEREAS the Petition for Special Leave to Appeal with application for **CONDONATION OF DELAY IN FILING, EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT** above mentioned filed in the Registry by **Ms. MANIKA TRIPATHY**, Advocate on behalf of the Petitioner above named was listed for hearing before this Court on **06th January, 2023**, when the Court was pleased to pass the following order:-

"Learned counsel for the petitioner has vehemently submitted that, before the High Court, it was the specific case on behalf of the Delhi Development Authority [DDA]/Land Acquisition Collector[LAC] that the original writ petitioner had no locus. It is submitted that the aforesaid aspect has not been dealt with and/or considered at all. It is further submitted that it was also the case on behalf of the DDA/LAC, so stated in the counter affidavit, that the possession of the land in question was taken over from the landowner, however, thereafter the same was not handed over to the beneficiary. It is submitted that the aforesaid 2 stand taken by the DDA/LAC has been construed by the High court as admission that the possession of the land in question was not taken over from the landowner. It is submitted that the aforesaid observations made by the High Court that the possession was not taken over from the landowner is contrary to the stand taken by the DDA/LAC, so stated in the counter, before the High Court.

Issue notice on the application for condonation of delay as well as on the Special Leave Petition, returnable on 27.02.2023.

Dasti, in addition, is permitted.

Respondents be served within a period of 10 days from today."

AND WHEREAS the application for **SUBSTITUTED SERVICE** e-filed in the Registry by **Ms.MANIKA TRIPATHY**, Advocate on behalf of the Petitioner above named was listed before this Court on **25th April, 2023**, when the Court was pleased to pass the following order:-

"IA No.47632/2023- Application for substituted service is allowed. Respondent Nos.1, 2, 5, 6, 10, 11 and .12 be served by

substituted service by publication, as prayed, for which the notice is made returnable on 28.08.2023. "

NOW, THEREFORE, TAKE NOTICE that the above petition will be posted for hearing before this Court on **28th August, 2023** at 10.30 O' Clock in the forenoon Or so soon thereafter as may be convenient to the Court and show cause to the court as to why delay in filing SLP be not condoned, Special Leave and Interim Relief asprayed for be not granted and the resultant appeal be not allowed.

Take Further Notice that the prayer for interim relief after notice will also be listed before the Court on the aforesaid date.

You may file your affidavit in opposition to the petition asprovided under Rule 14(1) of Order XXI, S.C.R.2013 before returnable date of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier, but shall do so only by setting out the grounds in opposition to the questions of law or grounds set out in the SLPs and may produce such pleadings and documents filed before the Court/Tribunal against whose order the SLP is filed and shall also set out the grounds for not granting interim order.

TAKE FURTHER NOTICE that if you fail to enter appearance as aforesaid, no further notice shall be given to you even after the grant of special leave for hearing of the resultant appeal and the matter above mentioned shall be disposed of in your absence.

Dated : **28th April, 2023**

ASSISTANT REGISTRAR



DELHI DEVELOPMENT AUTHORITY

