



\$~J

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Judgment pronounced on: 18.02.2026

+

W.P.(C) 8214/2013 & CM APPL. 9078/2025

M/S EVINIX DESIGNS CONCEPTS P LTD.

..... Petitioner

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Adv.

Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Adv.

versus

LT. GOVERNOR NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Adv. for R-1/LAC & R-2.

+

W.P.(C) 8215/2013 & CM APPL. 9086/2025

M/S RISHYAB INFRATECH PVT. LTD.

..... Petitioner

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Adv.

Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Adv.

versus

LT. GOVERNOR NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Adv. for R-1/LAC & R-2.



+ **W.P.(C) 8216/2013 & CM APPL. 9054/2025**

M/S ANNAPOORNA INDUSTRIAL
CORPORATION

..... Petitioner

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Advs.

Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Advs.

versus

LT. GOVERNOR NCT OF DELHI & ANR Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Advs. for R-1/LAC & R-2.

+ **W.P.(C) 8217/2013 & CM APPL. 9092/2025**

M/S AIC DEVELOPERS (INDIA) PVT. LTD. Petitioner

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Advs.

Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Advs.

versus

LT. GOVERNOR NCT OF DELHI & ANR Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Advs. for R-1/LAC & R-2.

+ **W.P.(C) 8218/2013 & CM APPL. 9072/2025**



M/S AMAR DYEING WORKS

..... Petitioner

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Advs.
Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Advs.

versus

LT. GOVERNOR NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Advs. for R-1/LAC & R-2.

+

W.P.(C) 119/2014 & CM APPL. 9037/2025

PANKAJ TANDON & ORS

..... Petitioners

Through: Ms. Pooja Mehra Saigal, Sr. Adv.
with Mr. Karan Gupta, Mr. Nimish
Sharma and Ms. Ananya Chaudhary,
Advs.
Mr. S.K. Rout, Mr. Aman Mehrotra,
Mr. Rahul Kumar and Ms. Parmina
Nath, Advs.

versus

LT. GOVERNOR NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjay Kumar Pathak, SC with
Mrs. K.K. Kiran Pathak, Mr. Sunil
Kumar Jha and Mr. and Mr. D.Kapil,
Advs. for R-1/LAC & R-2.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE SACHIN DATTA

JUDGMENT



CM APPL. 9077/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C)8214/2013**

CM APPL. 9085/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C) 8215/2013**

CM APPL. 9053/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C) 8216/2013**

CM APPL. 9091/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C) 8217/2013**

CM APPL. 9071/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C) 8218/2013**

CM APPL. 9036/2025 (seeking condonation of delay of 16 days in filing the review petition) in **W.P.(C)119/2014**

1. These are applications seeking condonation of delay of 16 days in filing the review petitions.
2. Considering the averments made in the applications, the same are allowed; accordingly, the delay of 16 days in filing the review petitions is condoned.
3. The applications stand disposed of.

REVIEW PET. 73/2025 in W.P.(C)8214/2013

REVIEW PET. 74/2025 in W.P.(C)8215/2013

REVIEW PET. 71/2025 in W.P.(C)8216/2013

REVIEW PET. 75/2025 in W.P.(C)8217/2013

REVIEW PET. 72/2025 in W.P.(C)8218/2013

REVIEW PET. 70/2025 in W.P.(C)119/2014

4. The present review petitions have been filed seeking review of the judgment dated 24.12.2024 passed in W.P.(C) 8214/2013 and connected matters. The review petitioners have contended as follows:

- i. That the judgment dated 24.12.2024 disregards the consistent stand of the petitioners in assailing the acquisition and possession of the subject land and that therefore, the reliance placed on the judgment in *Delhi Airtech Services Pvt. Ltd and Another v. State of U.P. and*



another, 2022 SCC OnLine SC 1408, is misconceived. It is specifically contended that there is no mention anywhere in the amended writ petition of the petitioners having given up their rights to challenge the acquisition proceedings or to challenge the alleged taking of possession as illegal, contrary to the observations recorded in paragraph 47 of the said judgment;

- ii. The judgment dated 24.12.2024 fails to deal with the contentions raised by the petitioners regarding the award under Section 11 being antedated;
 - iii. It is contended that the judgment dated 24.12.2024 omits to appreciate the petitioners' contention that the respondent no.2 failed to comply with the provisions of Section 9 and 10 of the Land Acquisition Act, 1894, inasmuch as no notice, as contemplated under the said statutory provisions, was served upon the petitioners.
5. Certain other contentions have also been raised seeking to assail the correctness of the view taken in the judgment dated 24.12.2024.
6. The above contentions are misconceived. The judgment dated 24.12.2024 has taken note of material aspects, *inter alia*, as under -
- i. Specific note is taken of the petitioners' agreement with DMRC, in terms of which the petitioners voluntarily handed over possession of the land to DMRC in consideration of DMRC agreeing to allot commercial space to the petitioners;
 - ii. Paragraph 9 of the judgment reproduces the order dated 09.09.2014 passed in W.P.(C) 8214/2013 & connected matters, wherein the entire agreement between the petitioners and DMRC is reproduced.
 - iii. Paragraphs 31 to 37 of the judgment deals with the contention



regarding alleged infraction of the provisions of Section 9 of the Land Acquisition Act, 1894, while referring to the dicta laid down by the Supreme Court in *May George vs. Special Tehsildar*, (2010) 13 SCC 98 and other judgments.

- iv. It is categorically noted that in terms of the judgment in *May George* (supra), the award cannot be set aside solely on the ground of an alleged infirmity in the notices under Sections 9 and 10, and/or on the ground that they were dispatched on a date subsequent to their issuance, as alleged.
- v. The issue of ante-dating of the Award is dealt with in paragraphs 39 to 41, 44 & 45 of the judgment dated 24.12.2024.
- vi. Further, paragraph 27 of the judgment dated 24.12.2024 records as under:-

“27. At the outset, it is important to note that the petitioner has made a categorical statement that it does not wish to challenge the validity of any notification issued under the LA Act, 1894 or the acquisition proceedings themselves. It has been averred in unambiguous terms in the amended writ petition as under:-

“It is relevant to submit here that the petitioner in the present case is neither challenging the vires of any notification under the repealed act, nor assailing the acquisition proceedings.”

- vii. It has also been observed in paragraph 47 of the judgment dated 24.12.2024 as under:-

“47. In the present case, it has been noted hereinabove that the petitioner itself has categorically stated in the amended writ petition that it is neither challenging the vires of any notification under the repealed act nor assailing the acquisition proceedings. Further, possession has been handed over by the petitioner to the respondent no.3 (DMRC) pursuant to a settlement. In the circumstances, even assuming that the award was no issued within the period prescribed



under Section 11(A), the same would not constitute a fatal irregularity under the LA Act, 1894.”

- viii. A perusal of the record reflects that the above reproduced portion of the pleadings, as extracted in paragraph 27 of the judgment dated 24.12.2024, has been bodily lifted from the averments made by the writ petitioners in their Rejoinder to the Counter Affidavit filed by respondent no. 2 in response to the Amended Writ Petition¹.
- ix. As such, it is wholly incorrect on the part of the review petitioners to contend that there is no mention anywhere in the writ petitions of the petitioners having giving up their right to challenge the acquisition proceedings. This is the fundamental premise on which the present review petitions have been filed and the same is clearly misconceived.
- x. Reliance placed on the judgment in the case of ***Delhi Airtech Services Pvt. Ltd*** (supra) is germane in the above context. Independent thereof, multiple reasons have been cited in the judgment under review which repel the claim/relief sought in the writ petitions.
7. The review petitions further aver that, in the judgment dated 24.12.2024 the Court has treated W.P.(C) 8214/2013 titled *M/s Evinix Designs Concepts Pvt. Ltd. v. Lt. Governor, N.C.T. of Delhi & Ors.* as the lead matter, however, the lead matter in the present batch of writ petitions was *M/s Amar Dyeing Works v. Lt. Governor, NCT of Delhi & Anr.*, W.P.(C) 8218/2013. The said contention is also misconceived.

¹ “It is relevant to submit here that the petitioner in the present case is neither challenging the vires of any notification under the Repealed Act nor assailing the acquisition proceedings”. (Pdf page no. 352 of W.P. (C) 8214/2013)



8. A perusal of the record demonstrates that the factual conspectus is substantially similar in all these petitions. Concededly, identical legal issue/s arise/s for consideration.

9. It has also been wrongly contended by the petitioner that there is a factual error in paragraph 16(a)(i) of the Judgment.

10. The said paragraph merely records the averments as incorporated in the pleadings in W.P.(C) 8214/2013 titled *M/s Evinix Designs Concepts Pvt. Ltd. v. Lt. Governor, N.C.T. of Delhi & Ors.* The relevant averment in the said writ petition reads as under:-

“...The petitioners are owners of the building, while the land has been in their permanent tenancy since 2009...”²

11. The nature of the right/s asserted by the petitioner, in the concerned property, has been duly taken note of.

12. In the circumstances the review petitions are clearly beyond the well settled parameters governing exercise of review jurisdiction.

13. In *Sanjay Kumar Agarwal v. State Tax Officer*, (2024) 2 SCC 362, the Supreme Court, has observed as under –

“16. The gist of the aforesaid decisions is that:

16.1. A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

16.2. A judgment pronounced by the court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

16.3. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.

16.4. In exercise of the jurisdiction under Order 47 Rule 1CPC, it is not permissible for an erroneous decision to be “reheard and corrected”.

16.5. A review petition has a limited purpose and cannot be allowed to be “an appeal in disguise”.

² Extract from paragraph 1 at pdf page no. 235 in W.P.(C) 8214/2013



16.6. Under the guise of review, the petitioner cannot be permitted to reagitate and reargue the questions which have already been addressed and decided.

16.7. An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

16.8. Even the change in law or subsequent decision/judgment of a coordinate or larger Bench by itself cannot be regarded as a ground for review.”

14. Consequently, no merit is found in the review petitions; the same are accordingly, dismissed. Other pending applications also stand disposed of.

SACHIN DATTA, J

NITIN WASUDEO SAMBRE, J

FEBRUARY 18, 2026

r, sv