

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.12262 of 2015

ORDER:

Heard.

The grievance of the petitioners is that under Land Acquisition Award No.34/10, dated 02-06-2010 compensation was finally determined by Reference Court in LAOP No.1/2012, dated 15-04-2014 before the III Additional District and Sessions Judge, Gadwal. For execution of the said decree, E.P.No.8/14 was filed by the petitioners. Complaining that no steps are being taken by the respondents to comply with the Award and that no amount is deposited by the respondents, the present writ petition is filed.

Learned counsel for the petitioners states that against the same award, reference with regard to some claimants were made to different Reference Courts and those Reference cases in O.P.Nos.44/11, 22/13 and batch, 42/11 and 43/11 and batch were separately decided and as per the said decrees, the respondents have already deposited the entire compensation under G.O.Rt.No.264, dated 29-04-2013, G.O.Rt.No.102, dated 19-12-2015 and G.O.Rt.No.217, dated 16-04-2015. He, however, submits that so far as the petitioners' case in O.P.No.1 of 2002 is concerned, no steps are being taken.

Learned Government Pleader has received instructions and submits that the Requisition Department is yet to deposit the amount and as soon as the amount is deposited, payment would be made to the petitioners.

After examining the record, in the instant case, it is evident that out of the same award, the respondents have complied with the decrees in several cases, as referred to above. However, in the present case, the deposit has not been made so far.

Obviously, the petitioners cannot be compelled to wait till the Requisition Department deposits the amount on its own leisure. In the present writ petition, the

2nd respondent is stated to be the Requisition Authority, who shall ensure deposit of amount, as per the decree well before the time stipulated therein, to enable the respondents to comply with this order.

Similar matters were considered by this Court in W.P.No.33040 of 2015 and batch by order, dated 22-09-2015. Following the said directions, this writ petition is also disposed of directing the respondents to deposit the entire decretal amount to the credit of the execution petition, referred to above, in terms of the decree on or before 31-03-2016. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed

VILAS V.AFZULPURKAR, J

Date: 04-11-2015

Prv

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