

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE MRS. JUSTICE ANIS

LAAS M.P.Nos. 1099 & 1100 OF 2015

AND

LAAS No. 226 OF 2006

J U D G M E N T: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

These two Applications have been taken out by the Land Acquisition Officer – cum- Revenue Divisional Officer, Kakinada, East Godavari District, the appellant in the accompanying Appeal.

LAAS M.P. No. 1099 of 2015 is to condone the delay of 5074 days in seeking to set aside the abatement caused due to the death of the sole respondent in the Appeal, by name Sri Katuri Ganga Raju. LAAS M.P.No. 1100 of 2015 is to set aside the abatement.

The Appeal itself has been preferred aggrieved by the order dated 22.04.1996 passed by the learned Subordinate Judge at Kakinada in L.A.O.P. No. 47 of 1988. The land of the respondent of Ac.1.36 cents was acquired for the purpose of construction of a bridge and the Award was passed on 07.05.1986 and the land was taken possession on 16.06.1985. As against the order passed on 22.04.1996, the Appeal was preferred to this Court on 14.08.1997 with considerable amount of delay. It appears, the respondent died on 04.07.2001 and the present Application LAAS M.P.No. 1099 of 2015 has been moved nearly 14 years thereafter. Though the criticism of the learned Government Pleader for Appeals (Andhra Pradesh) is that there is any amount of difficulty for the government officials to keep knowing as to the well-being of the respondents, particularly in land acquisition cases, in contrast to the knowledge, which percolates with reasonable promptitude in case of disputes between the private parties, but still, we consider that 14 years period, by any stretch of imagination, is too long and unreasonable a period for a Court to condone. Consequently, we are satisfied that condonation of delay is not warranted. This apart, we had also scanned through the order passed by the reference Court. The Land Acquisition Officer has fixed the market value at Rs.21,000/- per acre notwithstanding the fact that the lands are considered to be one

of the most fertile lands and hence, the reference Court has enhanced it by adopting a very conservative standard to Rs.50,000/- per acre.

Therefore, we do not find any justification to entertain these two Applications and consequently, both of them stand dismissed. In view of the dismissal of these two Applications, the Appeal also stands dismissed as abated. No costs.

The miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

ANIS, J

04th November 2015

ksld

