

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA  
PRADESH**

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**W.P.No. 37048 of 2015**

Between:

Y. Sandeep Reddy and another

... Petitioner/s

and

The State of Telangana and others

... Respondent/s

DATE OF JUDGMENT PRONOUNCED: 25.11.2015

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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|---|----------------------------------------------------------------------------|----|
| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals       | No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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**W.P. NO. 37048 of 2015**

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**ORDER:**

Heard Mr. D. Prakash Reddy, learned senior counsel for the petitioners as well as learned Government Pleader for Land Acquisition appearing for the respondents 1 to 5 and Mr. L. Prabhakar Reddy, learned standing counsel appearing for the respondent No.6. Nobody appeared for the respondents 7 to 12.

The petitioners herein claim that Ac. 45-00 of land in various survey numbers situated at Saireddyguda village, Kandukur Mandal, Ranga Reddy district was under acquisition for allotment to the respondent No.6. Disputing the compensation amount payable in respect of the acquired land, it is stated that the originally the land belonged to respondents 7 to 12 who are stated to have executed an agreement of sale dated 23.6.2015 in favour of the petitioners and subsequently the petitioners have filed a suit in O.S.No. 638 of 2006 for specific performance of the said agreement of sale and obtained a decree from III-Addl. District Judge, Ranga Reddy district at L.B.Nagar, dated 21.10.2013. The petitioners have also filed their objections before the 4<sup>th</sup> respondent informing of their subsisting claim for compensation amount over the acquired land under the aforesaid decree and they also earlier approached this Court by filing W.P.No. 34868 of 2015 complaining that the compensation amount is being paid to the respondents 7 to 12 ignoring the petitioners' claim. While the said writ petition is pending, the present writ petition is filed questioning the action of the respondents 1 to 5 in seeking to acquire the land during the pendency of O.S.No. 638 of 2006 and contrary to G.O.Ms.No. 45, Industries and Commerce (IP & INF) Department, dated 22.7.2015.

Learned Government Pleader for Land Acquisition has since received instructions and states that the petitioners' objections have already been received by the 4<sup>th</sup> respondent and a report has also been obtained regarding the land from the 5<sup>th</sup> respondent. It is also stated that the petitioners have also filed copies of I.A.Nos. 378 and 377 of 2015 in O.S.No. 638 of 2006 and since the matter is sub-judice before the competent civil Court, the payment of compensation for the acquired land was deferred awaiting adjudication by the competent civil Court.

In view of the aforesaid instructions, therefore, it is evident that the compensation amount is not being dispersed awaiting orders from the competent civil Court in the aforesaid suit, as such the apprehension of the petitioners that the compensation amount would be paid to the respondents 7 to 12 is also not substantiated as the 4<sup>th</sup> respondent himself deferred the payment of compensation amount. Since the parties are already before the competent civil Court, the payment of compensation shall abide by the orders of the civil Court in the aforesaid suit. As such no further orders are necessary to be passed in this writ petition which is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

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VILAS V. AFZULPURKAR, J

Dt. 25.11.2015

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