

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.42261 OF 2015

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Land Acquisition.

The present Writ Petition is filed by the petitioners making a claim with respect to the land admeasuring Ac.0.12½ cents and Ac.0.37½ cents out of Ac.1.13 cents in Survey No.255/4 of Pudi Village, Rambilli Mandal, Visakhapatnam District, on the ground that the said land was acquired in 2006 for the purpose of APIIC (SEZ Unit-I), Visakhapatnam. While there is no controversy that the 4th respondent has received compensation vide proceedings in Rc.No.14/2006, S.D.T.-II, dated 08.05.2008, of the Special Grade Deputy Collector (L.A.) APIIC (SEZ Unit-I) Industrial Estate, Visakhapatnam, the 3rd respondent, the petitioners grievance in this Writ Petition is that now land to land compensation is proposed to be paid to the 4th respondent ignoring their claim. The petitioners also served a legal notice, dated 07.03.2015, on the 3rd respondent objecting such claim and making a claim for themselves. Since no positive response is received from respondents 1 to 3, the present Writ Petition is filed.

Learned Government Pleader for Land Acquisition had received instructions from the 3rd respondent, which *inter alia* show that the petitioners claim for compensation for the land to an extent of Ac.0.12½ cents in Survey No.255/4, is actually payable to them and not to the 4th respondent. But, in the present Writ Petition also the order passed as early as on 08.05.2008 is questioned by the

petitioners on the ground that their share of compensation is not paid to them.

It is apparent that the order of 2008 paying compensation to the 4th respondent cannot be examined in this Writ Petition on account of long lapse of time and the delay and laches on its part so far as the petitioners' other grievance that compensation of land to land package is being extended to the 4th respondent is concerned, the instructions of learned Government Pleader clearly show that there is no such package and "no amount towards monetary benefit of land to land package payable under R & R package has been paid to anybody so far."

In view of the same, it is only the apprehension of the petitioners and there is no basis for it. Hence, no further orders are called for in this Writ Petition.

The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

31.12.2015

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