

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No. 12294 OF 2013

ORDER:

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

The petitioner prays for re-determination of compensation for the land acquired in an extent of Ac.03.15 guntas in Survey No.336/2 of Neelhali Village, Dharoor Mandal, Mahaboobnagar District in accordance with the judgment and decree in O.P.No.20 of 1998 as confirmed in LAAS No.99 of 2006 as illegal and amounts to refusing the exercise of statutory application under Section 28-A of the Land Acquisition Act, 1984.

Facts and circumstances leading to the filing of the writ petition are not in dispute. The petitioner claims payment of compensation as determined by the competent Civil Court in O.P.No.20 of 1998 covered by the same award. The petitioner addressed a letter dated 11.06.2012 for re-determination by the 2nd respondent. As nothing is done till date, the writ petition is filed.

Learned Government Pleader for Land Acquisition submits that the determination in O.P.No.20 of 1998 was the subject matter in LAAS No.99 of 2006 in this Court. The respondents were not aware of the disposal of appeal or for that matter for want of certified copies of judgment in LAAS.No.99 of 2006, the re-determination could not be done. The re-determination is a statutory obligation. The 2nd respondent agrees to take up and pass appropriate orders if a representation is made. Therefore, the petitioner is given four weeks from today to submit a reminder along with a copy of this order to the 2nd respondent for re-determination and the 2nd respondent on receipt of such application shall re-determine and communicate the compensation payable to the petitioner in terms of O.P.No.20 of 1998 and in accordance with law preferably within a

further period of four weeks from the date of receipt of such reminder.

The writ petition is ordered as indicated above.

Pending miscellaneous petitions in this Writ Petition, if any, shall stand closed in consequence. No order as to costs.

S.V.BHATT, J

09.03.2015

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