

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

-
WRIT PETITION No.29094 of 2016

ORDER:

Vide present petition, petitioner seeks Mandamus declaring the action of 2nd respondent in not considering the Arbitration Petition vide R.C.G2A(G1)/3412/2012 and for passing necessary orders thereon.

2. The 4th respondent proposed for widening of four lining maintenance, management and operation of National Highway No.9 on the stretch from 20.650 to 32.050 in Vijayawada-Machilipatnam in Krishna District under Section 3A of the National Highway Act, 1956. For the said purpose, the

3rd respondent acquired the land of the petitioner at Gurajada Village limits of Pamidimukkala Mandal, Krishna District, abutting to NH-9 in revenue Survey No.185/4B with an area of

4900 Sq.Mtrs. The 3rd respondent had fixed the value of the acquired land at Rs.4,20,000/- per acre towards compensation of acquired land vide Award bearing No.03/2011-12. Thereafter, the petitioner made an application to the 2nd respondent in Prajavani Petition No.93549 dated 27.08.2012 requesting for payment of compensation as per private market rate. On that Prajavani petition, the 3rd respondent vide Rc.B/1651/07 dated 04.09.2012 directed the petitioner to file application before the 2nd respondent for getting enhancement of compensation. Accordingly, the petitioner made Arbitration Petition No.R.C.G2A(g1)/3412/2012 before the 2nd respondent seeking to enhance the compensation by taking into consideration the market value and also to consider the other factors, which are to be considered for ascertaining the compensation for the acquired land of the petitioner and also to grant such all the statutory benefits as per the Land Acquisition Act. However, till date, the second respondent had not concluded the arbitration proceedings. Aggrieved thereby, present writ petition is filed.

3. Learned Government Pleader for Land Acquisition takes notice

for respondent Nos.1 to 3 and Sri A.Laxminarayana, learned Standing Counsel, takes notice for R-4.

4. Learned Government Pleader, on behalf of respondent No.2, assures this Court that the Arbitration Proceedings will be concluded within a period of two months.

5. Keeping in view the averments made in the writ petition and the submissions of the learned counsel for the parties, I hereby direct the respondent No.2 to conclude the proceedings in Arbitration Petition No.R.C.G2A(G1)/3412/2012 within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions pending in the writ petition, if any, also stand closed.

SURESH KUMAR KAIT, J

30th August, 2016.

Note : Issue C.C. in a week.

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