

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.21751 OF 2006

ORDER:

Learned counsel for the petitioner says that the award is not passed by the Land Acquisition Officer under the Land Acquisition Act, 1894 and as such, the matter falls under the category of cases as envisaged under Section 24 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for Short " the Act").

Section 24 of the Act: **Land acquisition process under Land Acquisition Act, 1894 shall be deemed to have lapsed in certain cases:-**

1. Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894,-
 - a) where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation, rehabilitation and resettlement shall apply; or
 - b) where an award under said section 11 has been made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

Since no award is passed by the Land Acquisition Officer, Section 24(1) of the Act referred supra applies to the present case. Hence, the respondents have to follow the provisions of the Act, if they want to acquire the land of the petitioner.

Accordingly, the writ petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

26-02-2016
nvl

