

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36815 of 2016

ORDER:

The petitioner prays for the following relief :-

“..... to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in fixing a date for hearing the objections through Petitioner's representation dt.Nil as acknowledged on 27.7.2016 as bad, illegal, arbitrary and capricious and violative of Art. 300-A of Constitution of India with a consequential direction to the respondents to include the name of the petitioner in respect of land admeasuring Ac.0.30 guntas and Ac.1.10 guntas for Survey Nos.225 and 228 of Kivvaka village, Kukkunuru Mandal, West Godavari District in ROC.No.125930/2016/R&R dt. .09.2016 with a consequential direction to the respondents to consider the name of the petitioner for the above extent of land admeasuring Ac.0.30 guntas and Ac.1.10 guntas for Survey Nos.225 and 228 of Kivvaka village, Kukkunuru Mandal, West Godavari District for compensation in terms of Act 30 of 2013 and the rules made there under”

The Assistant Government Pleader (Land Acquisition) places on record written instructions dated 31-10-2016 received from 4th respondent. The operative portion of the written instructions reads thus :-

“However, it is open to the writ petitioner to attend to the Award Enquiry scheduled to be held on 05-11-2016 with supporting documents to substantiate their claim with respect to Sy.Nos.225 and 228. If the

dispute is not resolved at the time of Award Enquiry the matter will be referred to Disputes Committee, duly stopping payment to any other parties including the respondent Nos.5 and 6"

Learned Assistant Government Pleader, basing on the written instructions, dated 31-10-2016, submits that the 4th respondent is prepared to look at the objection of petitioner, at this juncture in the enquiry scheduled to be held on 05-11-2016 and if the petitioner satisfies the authority, appropriate orders will be passed otherwise, the next step as provided under Act 30 of 2013 will be taken recourse to.

The statement is placed on record.

The petitioner is given liberty to appear in the enquiry with all documents scheduled to be held on 05-11-2016 along with a copy of this order and the 4th respondent is directed to consider the objection and documents of petitioner and take a decision in accordance with law, as circumstances warrant in this behalf.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 04-11-2016

Note:

Issue C.C. by evening

(B/o)

Prv

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04-11-2016

Prv