

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.28437 of 2016

ORDER:

Vide the present petition, the petitioner seeks a direction to respondents to pay compensation with all benefits for missing bore-well and treating an extent of 374.37 sq. yards as agricultural land, instead of dwelling area, in Sy.No.255, project No.21 situated at Ladnapur Village, Mutharam (Manthani) Mandal, Karimnagar District.

Learned counsel for the petitioner submits that the petitioner made representations dated 28.01.2016, 01.02.2016 and 13.05.2016 to pay compensation for bore-well in the subject land based on the re-estimation prepared by the Executive Engineer (R&B) Department, Peddapally vide Lr.No.DB/HD/EEP/2015-16 dated nil.03.2016. However, till date no communication has been received by the petitioner.

Learned counsel for the petitioner submits that the decision taken by the respondents is contrary to the draft declaration under Section 6 of the Land Acquisition Act, 1894.

The Writ Petition is filed by the petitioner on 22.08.2016 with advance copy to the respondents. Despite that, the respondents have not briefed the learned Government Pleader for Land Acquisition. So, she could not assist the Court.

Keeping in view the issue raised in the instant petition, notice is not required to be issued to the respondents.

Accordingly, I hereby direct the respondents to pass orders on the representation on the basis of the re-estimation prepared by the Executive Engineer (R&B) Department, Peddapally, vide Lr.No.DB/HD/EEP/2015-16 dated nil.03.2016, within a period of two weeks from the date of receipt of a copy

of the order, in accordance with law.

The decision taken by the respondents shall be communicated to the petitioner within one week thereafter.

If the petitioner is still aggrieved by the decision of the respondents, liberty is granted to petitioner to approach the appropriate forum.

Miscellaneous Petition pending, if any, shall also stand disposed of. However, in the circumstances, without costs.

SURESH KUMAR KAIT, J

Dt:24.08.2016

Note:CC by 26.08.2016

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