

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37811 of 2016

ORDER:

The petitioners pray for the following relief :-

“..... to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus to declare the inaction of the respondents 2 to 4 to consider the representation dt. 13.10.2016 of the petitioners by passing land acquisition compensation award in their favour among the respondents 5 to 7 against their lands i.e. to an extent Ac 6.52 cents of land i.e. Ac 4.00 cents in Sy.No. 89, Ac 0.10 cents in R.S.No. 17, Ac 1.03 cents in R.S.No. 18, and Ac 1.39 cents in R.S.No. 25 which are situated at Koundinyamukti Village, Kukkunuru Mandal, West Godavari District, as illegal, arbitrary and violative of principles of natural justice as well as violative of the Land Acquisition Act, 30 of 2013 and consequently direct the respondents 2 to 4 to consider the representation dt. 13.10.2016 of the petitioners and pass the award in their favour and to deposit their 1/6th share to each among the respondents 5 to 7 in their personal bank accounts”

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 petitioners 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.No.89 and R.S.Nos.17, 18

and 25. 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 to 7.”

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 petitioners, at this juncture in the enquiry scheduled to be held on 05-11-2016 and if the petitioners satisfy 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 petitioners are given liberty to appear in the enquiry with all documents scheduled to be held in this behalf on 05-11-2016 or on any subsequent date along with a copy of this order and the 4th respondent is directed to consider the objections and documents of petitioners 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