

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.31988 of 2015

ORDER:

The Writ Petition is filed 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 herein in not paying compensation to the petitioner land acquired land in Sy.No.899/2A extent Ac.0.30¼ gts., Sy.No.899/2B extent Ac.0.21½ gts. Sy.No.903 extent Ac.0.32 gts. and Sy.No.899/2C extent Ac.0.05 gts situated at Miryalaguda Village and Mandal (which is in the limits of Miryalaguda Municipality) Nalgonda District acquired for the purpose of bypass road as illegal, arbitrary, unreasonable, contrary to the provisions of Land Acquisition Act and violative of Articles 14, 21 and 300-A of the Constitution of India and issue a consequential direction to the respondent herein to deposit the decretal amount to the credit of O.P.No.14 of 2005 on the file of the Court of Senior Civil Judge at Miryalaguda, Nalgond Distirct forthwith and to pass such other order or orders in the interest of justice.”

Learned Government Pleader for Land Acquisition submits that, as against the order passed in O.P.No.14 of 2005, respondents filed LAAS.No.12 of 2013 which was disposed of on 28.12.2015. The order of this Court in LAAS.No.12 of 2013 dated 28.12.2015 was communicated to the office of respondent on 01.04.2016. Meanwhile, the Telangana Government communicated new proforma for submission of decretal proposals. The decretal proposals were submitted to the District Collector, Nalgonda for Rs.3,85,31,097/- vide letter No.E1/5520/98 dated 10.08.2016.

Learned Government Pleader for Land Acquisition further submits that the decretal proposals would be scrutinized at various levels of the government and would take atleast three months to deposit the decretal amount in O.P.No.14 of 2005.

Keeping in view the facts and circumstances of the case, and the submissions of the learned Government Pleader for Land Acquisition, I hereby direct respondents to take steps to deposit the decretal amount within two months from the date of receipt of a copy of this order. I further make it clear that, if the decretal amount is not deposited within the time stipulated by this Court, the petitioner shall be entitled to interest at the rate of 12% p.a. on delayed payment. If any of the respondents come in the way of complying with the order of this Court, the interest shall be borne by the said respondents.

Accordingly, the Writ Petition is disposed of.

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

SURESH KUMAR KAIT, J

Dt:27.08.2016
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