

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39944 of 2012

ORDER:

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This writ petition is filed seeking the following prayer:

“to call for the records relating to Award No.3/2011 in file No.LA/363/RR/152/05 dt.03-11-2011 passed by the 3rd respondent and quash the same in so far as land relating to Ac.6.06 gts in S.Nos.277, 278 and 279 of Uppal Kalan, Uppal Baghat, R.R.District by issuing a writ of certiorari or any other appropriate writ order or direction as the same is illegal, contrary to law and violative of principles of natural justice and consequently direct the 3rd respondent either to refer the dispute under Sec.30 of the Land Acquisition Act or to pass award afresh basing upon the result of the suit in O.S.No.73/2008 on the file of the A.P.Wakf Tribunal and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

In the affidavit filed in support of the writ petition, it is stated that due to the disputes between the petitioner and respondents, the petitioner, initially filed O.S.No.73 of 2008 before the A.P.State Wakf Tribunal, Hyderabad, wherein respondents 4 to 8 are also parties, for recovery of possession and later the prayer made by the petitioner in the suit was amended as suit for declaration of rights and the suit is pending.

It is stated by the learned counsel for the petitioner that in the suit, the arguments were heard and the suit is reserved for judgment.

When the suit filed by the petitioner for declaration of rights

is pending, the question of referring the matter to the 3rd respondent-Land Acquisition Officer under Section 30 of the Land Acquisition Act, does not arise. However, the rights of the parties will be worked out as per the adjudication to be made by the A.P.State Wakf Tribunal in O.S.No.73 of 2008.

With the above observation, the writ petition is disposed of.
No costs.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

Date: 17-02-2016
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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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