

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.5751 of 2006

ORDER:

It is the case of the petitioners that they are absolute owners of House Nos.1-2-607/54/11, 1-2-607/54/12 and 1-2-607/54/13 in plot Nos.11 to 13 in Sy.Nos.85, 86, 87, 88 part and 92 part respectively of Gaganmahal Village, Musheerabad Mandal, Hyderabad, having purchased under registered sale deed dated 30.08.1993. Later on, the subject property was found to be part of excess vacant land belonging to the original owner which vested with the government under the provisions of Urban Land Ceiling and Regulations Act, 1976. When the petitioners were tried to be dispossessed, they filed W.P.No.19126 of 1995 and all the writ petitions, of similarly situated persons, were disposed of, along with W.P.No.19344 of 1995 and batch by the Division Bench, by order dated 03.02.1997.

When the matter was carried to the Supreme Court in Civil Appeal Nos.7547 to 7567 of 1997, they were disposed of on 23.09.2003. In pursuance of the said orders, the petitioners submitted representations dated 27.10.2003, 17.11.2003, 05.12.2003 and 02.07.2005 requesting the authorities to allot alternate plots expressing their willingness to pay the difference in market value. When their representations were not considered, they filed the present Writ Petition.

Even after ten years no counter affidavit is filed on behalf of the respondents.

It is represented by the learned counsel for the petitioners that petitioner Nos.3 and 4 expired in the meanwhile.

Since more than a decade had elapsed after submitting representations by the petitioners and, in view of the death of two petitioners, the Writ Petition is disposed of giving liberty to the petitioners to submit a fresh representation, by citing the order of the Division Bench, in W.P.No.19344 of 1995 and batch dated 03.02.1997, and the order of the Supreme Court, in Civil Appeal Nos.7547 to 7567 of 1997 dated 23.09.2003, if they have any right to claim for alternate plots within a period of three months from the date of receipt of a copy of the order and the respondents are directed to consider the same, as and when they receive the representation, within six months thereafter.

The Writ Petition is, accordingly, disposed of.

Miscellaneous applications, if any, shall also stand disposed of. No order as to costs.

A. RAMALINGESWARA RAO,J

Date:08.11.2016
 usd

