

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition Nos.18444 of 2007 and 14114 of 2008

Common Order:

These two Writ Petitions are being disposed of by this common order as they were filed by the same petitioners.

W.P.No.18444 of 2007 was filed challenging the notification dated 18.06.2007 proposing to acquire the agricultural land of the petitioners and when no orders of stay were granted and an award enquiry was proposed to be conducted the petitioners filed W.P.No.14114 of 2008 challenging the notice of award enquiry dated 16.06.2008.

This Court, while admitting W.P.No.14114 of 2008 on 02.07.2008, passed an order of *status quo* with regard to nature and possession of the land.

Now, a counter affidavit is filed stating that the Petitioners did not participate in the award enquiry and Award No.1 of 2008 was passed on 20.02.2008.

In view of the orders of stay granted by this Court, the petitioners continued to be in possession of the property. In the meanwhile, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) came into force with effect from 01.01.2014 and as per Section 24(2) of the Act, where an award under Section 11 was made five years or more prior to the commencement of the Act, but physical possession of the land was not taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings afresh in accordance with the

provisions of the Act No.30 of 2013. In view of the same, the proceedings for acquisition of the land of an extent of Ac.5-10 cents belonging to the petitioners pursuant to 4(1) notification dated 18.06.2007 stood lapsed.

In the circumstances, W.P.No.18444 of 2007 is dismissed as having become infructuous and W.P. No.14114 of 2008 is allowed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

Date: 02.11.2016  
Nsr

A. RAMALINGESWARA RAO, J

