

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

W.P.NOS.343 OF 2015, 3316, 4675 AND 15352 OF 2016

COMMON ORDER

Since the issue involved in all these writ petition is one and the same, they are being disposed of by this common order.

Heard the counsel for the writ petitioners and the Government Pleader for Land Acquisition (Telangana).

The case of the petitioners, as per the averments made in the writ affidavits is that the Government had issued notification under Section 4(1) of the Land Acquisition Act, 1894 on 13.11.2007 for acquisition of land for the purpose of widening the road from Ananthagiri railway Track to Alampally via NTR X road at Vikarabad, Rangareddy District and later the draft declaration under Section 6 of the Act was made on 26.11.2008 and possession was taken and the Government carried out the road widening work. The grievance of the petitioners is that though the notification under Section 4(1) of the Act was published on 13.11.2007, no awarded is passed till date and, therefore as per Section 11-A of the Act, the said notification stood lapsed and the respondents are required to initiate fresh proceedings under the new Act i.e., the Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'Act 30 of 2013') and pay the compensation under the said Act. In support of their case learned counsel for the

petitioners relied on the judgment of the Apex Court in SOORAJMULL NAGARMULL v. STATE OF BIHAR¹.

In the counter affidavit filed on behalf of the respondents, while not disputing the factual aspects with regard to acquisition proceedings and the taking possession of the land from the writ petitioners for road widening, stated *inter alia* as under:

“Further it is to submit that the Joint Collector – II Rangareddy District has conducted meeting along with AE Vikarabad and Dy., EE (R & B) Vikarabad Division on 05.02.2016 and given instructions to the officers and LAO / Sub Collector Vikarabad to pass award as per Act 30 of 2013 New Land Acquisition Act. Accordingly the compensation will be paid to the land owners affected under acquisition for road widening.”

In view of the above statement made in the counter affidavit filed by the 3rd respondent – Assistant collector / Sub Collector, Vikarabad Division at Vikarabad, Rangareddy District, the grievance of the petitioners stood redressed.

The learned Government Pleader for Land Acquisition (Telangana), on instructions, submits that the compensation will be paid to the writ petitioners under Act 30 of 2013 positively within a period of two months from today.

Keeping in view the facts and circumstances of the case and the statement made by the learned Government Pleader for Land Acquisition, I hereby direct the respondents to take steps and complete the procedure contemplated under law and pay

¹ (2015)10 SCC 270

compensation and all statutory benefits under Act 30 of 2013 within the time sought for.

In view of the above, the land value fixed by the Collector, Rangareddy District at Rs.4,400/- per sq. yard in the District Negotiation Committee meeting held on 8.12.2014, shall not be taken into consideration and the compensation shall be paid as per Act 30 of 2013.

It is further made clear that no further extension shall be granted to the respondents for whatsoever reasons.

The writ petitions are disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

AVS



16—09—2016