

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.14557 OF 2016

ORDER:

The prayer is substantially against inaction in disposing of representation dated 27.01.2016 filed by petitioner claiming compensation for acquisition of land measuring Ac.2-28 cents in Survey No.5/2 and Ac.1-58 cents in Survey No.8/1 in Kamayyapalem Revenue Village, Jeelugumilli Mandal, West Godavari District, as illegal and amounts to refusing to exercise the jurisdiction conferred on respondent No.3.

This Court on 29.04.2016 passed the following interim order:

“Learned Government Pleader for Land Acquisition takes notice for respondent Nos.2 to 5. Learned Government Pleader for Irrigation takes notice for 1st respondent. Issue notice to 6th respondent. Learned counsel for petitioner is permitted to take out personal notice to 6th respondent by R.P.A.D. and file proof of service. Pending further orders, respondent Nos.2 to 5 shall consider petitioner's representation dt.27.01.2016 and till it is disposed of, they shall not disburse the compensation for the land acquired in favour of 6th respondent.”

Respondent Nos. 2 to 5 filed petition to vacate the interim order and in the counter affidavit filed along with the vacate stay petition, the respondents referred to a few circumstances justifying refusing to consider the case of petitioner for grant of compensation under Act 30 of 2013.

After perusing the representation and the grievance of petitioner, I am of the view that on the invitation of respondents 2 to 5, this Court at this stage of the matter cannot sit in judgment on the entitlement or otherwise of petitioner for compensation and mould the relief. Admittedly, the respondents are yet to communicate decision taken by them on the representation dated 27.01.2016. Therefore, the respondents are directed to communicate the decision, if any taken on the representation, within two weeks from today. If a decision is not taken on the representation, they are directed to take a decision and communicate within four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Date: 01-12-2016
Sp

S. V. BHATT, J

