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.. Petitioner

.. Respondents

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ORDER:-

This writ petition is filed for the following substantive relief:

“...to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in issuing Notices vide ROC:1/2015/A.J.C., dated 24.03.2015 in respect of the lands admeasuring 1133 square meters in Sy.No.513/2B and 1545 square meters in Sy.No.513/5A and subsequent issuance of the proceedings vide Rc.No.1/2014/AJC, dated 13.10.2015 for the land admeasuring 377 square meters in Sy.No.513/5A, situated in Mogalthur village, West Godavari District, as illegal and arbitrary.”

The learned counsel for the petitioner has submitted that for the aforesaid relief the petitioner made representation dated 23.07.2015 for entertaining resurvey and re-alignment of the National Highway Project, 2016, but the 3rd respondent – Competent Authority & Additional Joint Collector, by order dated 13.10.2015, while disposing of the representation, observed that there is no feasibility to change the alignment as per N.H. Authorities and decided to acquire the lands in question.

It is admitted by respondent Nos.1 and 2 in the counter affidavit that the land admeasuring 377 square

meters was acquired by the competent authority by way of publication of Notification in Central Gazette vide No.1482 in S.O. No. 1875(E), dated 10.07.2015 and thus the petitioner is entitled to compensation fixed under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30/2013).

The learned counsel for the petitioner has not controverted the averment made in the counter affidavit.

In view of the above, this writ petition is disposed of directing the respondents to fix and pay compensation to the petitioner for acquisition of his lands as per the relevant provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30/2013). No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

04.08.2016

bcj