

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.4326 OF 2016

ORDER:

This writ petition is filed alleging that the respondents are interfering with the land of the petitioner for the purpose of widening 100 feet road from INS Kalinga to Bheemunipatnam without initiating any proceedings and without following the due process of law.

Learned Government Pleader for Revenue has received instructions, wherein it is stated as follows:-

“.....

In this context, I submit that the land in Sy.No.42/1A for an extent Ac.0-27 cts and also lands in Sy.No.42/1C for an extent Ac.0-17 cts in Nerellavalasa Village has got inspected with this office Mandal Surveyor and who inspected into the schedule land and reported that it is not covered under proposed formation of 100 feet road from INS Kalinga to Bheemunipatnam. As per the FMB, the land in S.No.42/1B & 42/1D for an extent Ac.0-91 cts. & Ac.0-42 cts. respectively were acquired for formation of Beach Road, if the schedule land of the above petitioner's is required by R & B Department for formation of the proposed road, it will be acquired after due process of law. At present there is no disturbance to the petitioner's land.”

.....”

In view of the above, it is evident that the respondents have not acquired the lands of the petitioners for the 100 feet road widening and the writ petition is filed merely on apprehension, which has no basis.

Hence, the writ petition is dismissed. No costs.

Miscellaneous Petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

16.02.2016

Prv

