

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37536 of 2016

ORDER:

The petitioners pray for the following relief :-

“..... to issue writ of mandamus or any other appropriate writ or order or direction declaring the action of the respondents 1 to 10 in trying to obtain sale deeds in respect of land admeasuring Ac. 8-22 gts in survey No.496/E/2 (Ac.0-02 gts), 492/E/2 (Ac.0-05 gts), 491/E/2 (Ac.0-06 gts), 489/E/2 (Ac.0-07 gts) 492/E/2 (Ac.0-07 gts), 494/E (Ac.0-07 gts), 427/H/1 (Ac.0-36 gts), 506/A (Ac.0-36 gts), 495/E/2 (Ac.1.01 gts), 497/E/2 (Ac.1.15 gts), 498/E/2 (Ac.1.17 gts), 509/A (Ac.2.03 gts) and land admeasuring Ac.3.2600 in Sy.No.496/D (Ac.0.0050 gts), 496/E (Ac.0.0050 gts), 496/B (Ac.0.0100 gts), 788/F (Ac.0.0100 gts), 427/D/1 (Ac.0.0200 gts), 508/C (Ac.0.0350 gts), 433/E (Ac.0.0500 gts), 14/G (Ac.0.0600 gts), 508/C (Ac.0.0700 gts), 497/D (Ac.0.0950 gts), 498/C (Ac.1.0950 gts), 498/D (Ac.0.0950 gts), 427/B (Ac.0.1300 gts), 497/B (Ac.0.1800 gts), 498/B (Ac.0.1900 gts), 509/C (Ac.1.0100 gts) by issuing notification in File No. G3/2900/2016 dated 30-8-2016, 3-09-2016, 13-9-2016 from respondents 11 to 15 as arbitrary, illegal and in violation of Art. 300A and set aside the notification to the extent of lands mentioned at Sl.No.91, 111 dated 30-08-2016, Sl.No.46, 47 in notification dated 03-09-2016 and at Sl.No. 38 in Notification dated 13-09-2016 and consequently direct the respondents 2 to 10 not to obtain any registered sale deeds or make any payment to the respondent No. 11 to 15 or any other third party in respect of the petitioners lands....”

The case of petitioners is that respondents 2 to 4 without properly verifying the right title and entitlement to compensation muchless considering the objection filed by petitioners on

19-09-2016 are proposing to not only disburse compensation to respondent Nos.11 to 15 but are also proceeding to take sale deeds from respondent Nos.11 to 15.

Learned Government Pleader (Land Acquisition) makes a statement that the objection of petitioners is received by the office of 3rd respondent on 19-09-2016. The 3rd respondent, therefore, is under obligation to enquire into the assertions of petitioners vis-à-vis assertions of respondent Nos.11 to 15, consider, decide and is expected to communicate the order to both petitioners and respondent Nos.11 to 15. Till such an exercise is undertaken and completed, the compensation will not be disbursed or sale deed taken from persons entitled to in this behalf.

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

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

Dt: 02-11-2016

Note:

Issue C.C. forthwith

(B/o)

Prv

S. V. BHATT, J

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02-11-2016

Prv