

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE T.RAJANI

L.A.A.S.No.420 of 2009

10.03.2017

Between:

The Special Deputy Collector, Pochampad

..Appellant

and

M.Rukmini and others

..Respondents

Counsel for the appellant: Government Pleader for Appeals (TS)

Counsel for the respondents: Mr.V.Tulasi Reddy

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This appeal is filed by the Special Deputy Collector, Land Acquisition-cum-L.O.C. Unit, Sriramsagar Project, Pochampad, feeling aggrieved by common order, dated 20.08.2008, in respect of O.P.No.546 of 2006 on the file of the District Judge, Nizamabad.

2. By the aforementioned common order, the reference Court has enhanced compensation from Rs.28,500/- per acre for dry lands and Rs.31,000/- per acre for dry lands irrigated under bore-wells as awarded by the Land Acquisition Officer to Rs.1,08,750/- per acre, relying upon G.O.Ms.No.56, dated 23.04.2002, besides payment of all statutory benefits. As per the common order of the reference Court, land to an extent of Acs.96.10 guntas was involved in O.P.No.828 of 2005 and an extent of Acs.4.05 guntas of land was involved in O.P.No.546 of 2016. In L.A.A.S.M.P.No.997 of 2016 filed by the respondents, who are the claimants in O.P.No.546 of 2006, it is stated that the appellant has accepted the order of the reference Court in respect of Acs.96.10 guntas of land covered by O.P.No.828 of 2005 and has paid the enhanced compensation. Today, at the hearing, the learned Government Pleader for Appeals (TS) appearing for the appellant has admitted the said fact. In our opinion, having accepted the enhanced compensation for Acs.96.10 guntas of land covered by O.P.No.828 of 2005, the appellant cannot be permitted to challenge the common order of the reference Court in respect of the balance extent of Acs.4.05 guntas covered by O.P.No.546 of 2006.

3. In the light of the above facts, we do not find any merit in this appeal and the same is, accordingly, dismissed.

4. As a sequel to dismissal of the appeal, interim order, dated 16.11.2009, in L.A.A.S.M.P.No.1121 of 2009 is vacated and L.A.A.S.M.P.No.1121 of 2009 filed by the appellant for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

T.RAJANI, J

10th March, 2017
GHN

