

HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.20096 of 2008

ORDER:

Heard Mr. Kishore holding for Mr. N. Siva Reddy, for petitioners and the learned Assistant Government Pleader (Land Acquisition) for Respondents.

2. The petitioners challenge Section 4(1) Notification No.G2/ 3460/ 2008 dated 10.06.2008 and draft declaration No.G2/ 3460/ 2008 dated 25.08.2008 proposing to acquire petitioners land in an extent of Ac.1.20½ cents situated in Sy.Nos.151/ 2, 152/ 4A, 152/ 4B, 152/ 5 and 231/ 2B of Rayabhupalapatnam Village, Peddapuram Mandal, East Godavari District, as illegal and unconstitutional.

3. This court on 16.09.2008, granted interim stay as prayed for. Counsel for petitioners draws the attention of the court to the orders dated 17.04.2014 in WP No.19883 of 2008 and dated 26.04.2011 in WP No.19576 of 2008, wherein, subject 4(1) notification was considered and set aside insofar as petitioners therein are concerned.

4. Be that as it may, the Assistant Government Pleader (Land Acquisition) places on record Ref.E/ 1098/ 2008 dated 10.08.2017 of the Revenue Divisional Officer, Peddapuram/ 2nd respondent, wherein it is instructed that the subject land is enjoyed and possessed by land owners as on date, the award is not passed and respondents are not proceeding further to acquire subject land at this point of time due to changed circumstances. It is further stated that fresh land acquisition proceedings will be initiated under the Act 30 of 2013. The statement is placed on record.

5. The writ petition is accordingly disposed of. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S.V.BHATT, J

Date: 10.08.2017
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