

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.20426 of 2005

ORDER:

In the present Writ Petition, challenge is to a notification issued by the first respondent under Section 3D (1) of the National Highways Act, 1956 (for short, 'the Act'). Petitioner herein filed the present Writ Petition as long back as in the month of September, 2005. This Court ordered Rule Nisi on 07.11.2005. Subsequently, this Court also dismissed the W.P.M.P.No.26036 of 2005 on 22.9.2008 wherein the petitioner herein sought interim suspension of the impugned notification.

Now, a counter affidavit, deposed by the Project Director & DGM (Tech), National Highways Authority of India, PIU, Rajahmundry, is filed. In the said counter affidavit, it is stated that the respondent-authorities issued a notification under Section 3D (1) of the Act. It is further stated that the competent authority also passed award for the land and structures vide Award No.5/2013 dated 02.01.2014. The counter further avers that the authorities deposited the awarded amount before the Competent Authority Land Acquisition/Revenue Divisional Officer for disbursement of compensation to the land owners and it is for the said authority to decide who is the actual owner of the subject property.

In view of the above development, no relief in the present Writ Petition can now be granted at this length of time in the absence of any challenge as to subsequent developments.

Accordingly, the Writ Petition is dismissed. Miscellaneous Petitions pending, if any, in this Writ Petition, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI,J

07th November, 2017
Tsy/VLK