

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No16717 OF 2016

ORDER:

It is brought to the notice of this Court that, in identical circumstances, this Court disposed of W.P.No.16899 of 2016 and batch by way of a common order, dated 01.09.2017.

2. In view of the same, this writ petition is also disposed in terms of the above said order in the following manner:

The petitioners complain that the structures at petition schedule property shall not be disturbed, if warranted for road widening except in accordance with law. After hearing learned counsel for the petitioners, learned Government Pleader for Municipal Administration and Urban Development (A.P.) and Sri T.S.Venkata Ramana, learned Standing Counsel appearing for Vijayawada Municipal Corporation, this Court is of the view that the Vijayawada Municipal Corporation is taking steps to negotiate with the stake holders firstly to cooperate for road widening and also inviting them for negotiations. Therefore, in the matter of road widening, it is for the parties to respond. If they are not inclined to accept the offers given under G.O.Ms.No.119, Municipal Administration and Urban Development (M) Department, dated 28.03.2017, it is needless to emphasis that the Vijayawada Municipal Corporation is required to follow the procedure prescribed by law by acquiring the private properties for public purpose under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In case of assigned plots, liberty is given to respondents to negotiate for allotment of plot/accommodation to assignees and subject to

such settlement between assignees and the Corporation road, widening shall be taken up by the Corporation. There shall be no order as to costs.

3. Office to enclose a copy of the common order, dated 01.09.2017, in W.P.No.16899 of 2016 to this order.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

A.V.SESHA SAI,J

23rd October, 2017
Tsy

