

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.Nos.19930, 28624, 29261 & 23622 OF 2017

COMMON ORDER

All these writ petitions are filed challenging the declarations issued on 16.05.2017 & 20.02.2017 under Section 19 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) in respect of the land belonging to the petitioners and the subsequent award enquiry notices dated 10.08.2017 & 20.05.2017.

During the course of hearing, it came to light that no enquiry was conducted under Section 15 of the Land Acquisition Act, 1894 though the petitioners have filed their objections within the stipulated time.

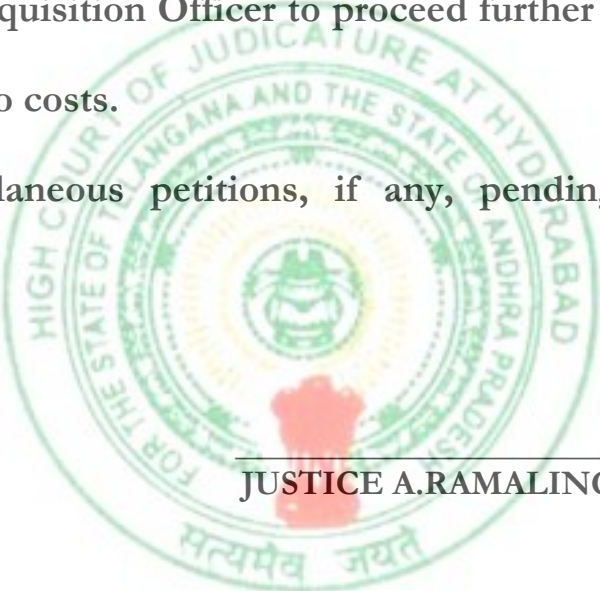
It appears that two or three petitioners have filed their objections in writing after the date of expiry.

Learned Advocate General appearing for the respondents fairly submits that the declarations, which were issued on 16.05.2017 & 20.02.2017, under Section 19 (1) of the Act 30 of 2013, can be set aside and the petitioners may be given an opportunity of hearing.

In view of the same, all the writ petitions are allowed setting aside the declarations issued on 16.05.2017 &

20.02.2017 to the extent of the petitioners only. The petitioners, who have filed their objections, are directed to appear before the Land Acquisition Officer on 24.10.2017 and submit the same. The Land Acquisition Officer shall afford an opportunity of personal hearing to all the petitioners, consider their objections, and pass appropriate orders, in accordance with law. It is needless to observe that if any of the petitioners do not cooperate for the enquiry on the said date, it is open to the Land Acquisition Officer to proceed further in accordance with law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

11th October, 2017
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