

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.5922 OF 2008

ORDER:

The land acquisition proceedings dated 01.12.2007, initiated under Section 4(1) of the Land Acquisition Act, 1894 (in short "the Act") is challenged before this Court.

2. In this Writ Petition stay of dispossession was granted on 19.03.2008 and admitted the Writ Petition on 06.03.2009. Now the learned Government Pleader has placed on record the instructions received from the Revenue Divisional Officer, Narsipatnam. In the instructions of the Revenue Divisional Officer it was stated that no Draft Declaration under Section 6 of the Act was published and the proposals under Section 48 of the Act for withdrawal of the Notification were sent to the Government. In the light of the instructions, it may be noted that even if no Notification is published under Section 48 of the Act, on account of the fact that no Draft Declaration under Section 6 of the Act was made within three years from the date of Section 4(1) Notification, the proceedings would lapse automatically.

3. Accordingly, the Writ Petition is allowed quashing the Notification dated 01.12.2007, issued under Section 4(1) of the Act. There shall be no order as to costs.

4. Consequently, Miscellaneous Petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J

Date:26.07.2017.
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