

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE N. BALAYOGI

APPEAL SUIT No.950 of 2003

JUDGMENT: (*Per VRS,J*)

Aggrieved by the enhancement of compensation from Rs.3,000/- per acre to Rs.18,000/- per acre by the reference Court, the Land Acquisition Officer has come up with the above appeal under Section 54 of the Land Acquisition Act, 1894.

2. Heard the learned Government Pleader for appeals (Telangana) appearing for the appellant.

3. Small extents of land of Ac.0.01 gunta, Ac.0.02 guntas, Ac.0.04 guntas, Ac.0.05 guntas and Ac.0.06 guntas in various survey numbers of Etigadda Kistapur and Kolgoor villages were acquired for the purpose of raising the Crest level of Kudeleru Vagu Anicut. The total extent of land acquired was only Ac.1.00. An award was passed fixing the compensation at Rs.3,000/- per acre and the same was enhanced to Rs.18,000/- per acre by the reference Court. Aggrieved by such enhancement, the Land Acquisition Officer is before us.

4. The total extent of land acquired is only about Ac.1.00. The total compensation fixed by the Land Acquisition Officer, apart from the statutory benefits, was only Rs.3,000/-. This has been enhanced to Rs.18,000/-, on the basis of a decree passed in yet another case,

O.P.No.40 of 1999, the certified copy of which was filed as Ex.A.1. The claimants also relied upon Ex.A.2, which is the certified copy of an award passed in O.P.No.30 of 1989.

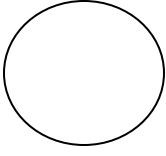
5. From the evidence on record, the Tribunal came to the conclusion that when a compensation of Rs.20,000/- per acre has been awarded in O.P.No.40 of 1999, the respondents cannot be paid a meager amount of Rs.3,000/- per acre. Therefore, after taking note of the compensation of Rs.18,000/- per acre awarded in O.P.No.30 of 1989 and a compensation of Rs.20,000/- per acre awarded in O.P.No.40 of 1999, the Tribunal fixed the compensation at Rs.18,000/- per acre. As a matter of fact, the award passed in O.P.No.30 of 1989 had also been confirmed in A.S.No.1978 of 1996, by a judgment, dated 11.06.2001, by this Court. Therefore, we find no merits in the appeal. Hence, it is dismissed.

Consequently, miscellaneous petitions if any pending in the appeal shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

N. BALAYOGI, J

13th June, 2017
cbs



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A.S.No.950 of 2003
(dismissed)

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% 13-06-2017

The Land Acquisition Officer-cum-
Revenue Divisional Officer, Siddipet. .. Appellant

Vs.

\$ Yeldandi Bixapathi and six others .. Respondents

<GIST:

>HEAD NOTE:



! Counsel for petitioner : The Government Pleader
(Telangana)

^ Counsel for respondents : --

? CASES REFERRED : ----