

THE HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.28381 of 2008

ORDER:

Heard Mr.Narahari Babu for petitioner and Assistant Government Pleader for Land Acquisition.

The petitioner challenges draft declaration dated 09.09.2008 as illegal and the enquiry conducted under Section 5-A of the Land Acquisition Act, 1984 is vitiated by several illegalities and infirmities.

The petitioner relies upon the order of this Court in W.P.No.25325 of 2008 wherein the consideration of objections by the 1st respondent under special notification was set aside and liberty was granted to the respondents to proceed with acquiring land, if circumstances warrant, under the provisions of Act 30 of 2013.

I have perused the reasons given by the 1st respondent for rejecting the objections raised by the petitioner and also the order of this Court in W.P.No.25325 of 2008.

For both the reasons, namely, non-consideration of objections and that in similar circumstances the land acquisition proceeding is set aside by this Court, the writ petition is ordered and draft declaration is set aside. No order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

S.V. BHATT, J

Date: 11.08.2017
KLP