

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23816 OF 2007

ORDER:

This Writ Petition is filed questioning the notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short, 'the Act'), dated 10.09.2006 published on 17.09.2006 and the declaration under Section 6 of the Act published on 29.09.2007.

This Court, while admitting the Writ Petition on 12.11.2007, directed the respondents not to dispossess the petitioners from the subject lands.

One of the grounds on which the petitioners has filed this Writ Petition is that the Land Acquisition Officer has failed to deal with the objections raised by them during the inquiry conducted under Section 5-A of the Act.

Heard learned counsel for the petitioners.

Today, when the matter is taken up for hearing, learned Government Pleader for Land Acquisition has placed before this Court the written instructions received from the Revenue Divisional Officer, Kovvur dated 25.07.2007. It has been stated therein that as of now, the land covered by the present Writ Petition is not required.

In the light of the stand taken by the respondents and also considering the fact that no Award has been made within two years from the date of publication of declaration, as mandated under Section 11 of the Act, the entire proceedings for acquisition of land shall lapse, as is settled by the Division Bench of this Court in its judgment dated 01.06.2017 in Writ Appeal No. 327 of 2017.

The notification under Section 4(1) of the Act dated 10.09.2006 is therefore, quashed. The Writ Petition is accordingly, allowed. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

26th July 2017

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