

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No32501 OF 2015

ORDER

This writ petition is filed challenging the Award No.17/2011-12(B), dated 17.01.2012 passed by the 3rd respondent.

A notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act'), dated 18.5.2007 was issued for acquiring land in an extent of Ac.25.99 cents for providing house sites to the weaker sections under Indiramma Scheme. Questioning the same, the petitioner filed W.P.No.12091 of 2007 and obtained interim direction, but the said writ petition was dismissed on 18.01.2008 giving liberty to the petitioner to file objections in the enquiry to be conducted under Section 5 of the Act. Thereafter, declaration under 6 of the Act was published on 12.01.2009. When his objections were rejected on 24.12.2008, he filed another W.P.No.834 of 2009, which was also dismissed on 11.4.2011. Though the petitioner filed a writ appeal along with an application to condone the delay, an award was passed in the meanwhile on 17.1.2012. Thereafter, the said writ appeal was dismissed on 03.07.2013. Challenging the same, he filed an SLP before the Supreme Court, which granted an order of *status quo*

in September, 2013. Ultimately, the SLP was dismissed on 09.02.2015. Though the land in an extent of Ac.5.53 cents was involved in acquisition, possession has not been taken so far. In respect of the land covered by the same notification, this Court allowed W.P.No.6026 of 2012 on 4.1.2017 by following the decision of the Apex Court in *Laxmi Devi v. State of Bihar*¹ on the ground that the award was passed beyond the period of two years provided under Section 11-A of the Act.

In view of the said order, since the land involved in the present notification is also covered by the same notification, the present writ petition is allowed by setting aside the Award No.17/2011-12(B), dated 17.1.2012 passed by the 3rd respondent. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

11th October, 2017
rkk

¹ (2015) 10 SCC 241

