

**HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.41112 OF 2017**

**O R D E R :**

This petition is filed for a writ of *Mandamus* declaring the action of the 2<sup>nd</sup> respondent in taking basic land value @ Rs.10,000/- when the CARD value is Rs.20,000/- per square yard, as illegal and violative of Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and for a consequential direction to the respondent to enhance the compensation in respect of Sy.No.36/2, H.No.6-102, to an extent of 222.40 sq. meters, putting the basic value @ Rs.40,000/- and fix the compensation for the loss of structure at Rs.25,00,000/-, and pass the award accordingly.

Learned Assistant Government Pleader for Land Acquisition submits that petitioner has remedy under Section 3G (5) of the National Highways Act, 1956 for enhancement of compensation.

Learned counsel for the petitioners submits that liberty may be granted to the petitioner to file the application under Section 3G (5) of the Act.

Since the petitioner has alternative remedy under Section 3G (5) of the Act, without expressing any opinion on merits, the writ petition is disposed of granting liberty to the

petitioner to file application under Section 3G (5) of the Act for enhancement of compensation, and on such application being filed by the petitioner, the Arbitrator is directed to consider the same and pass orders, in accordance with law, within a period of four months from the date of receipt of application.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

Office is directed to issue copy of the order to the Arbitrator appointed by the Central Government to consider the application of the petitioner under Section 3 G (5) of the National Highways Act, 1956.

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**A.RAJASHEKER REDDY, J**

08.12.2017  
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