

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.40762 of 2017

ORDER::

Learned counsel for the petitioners and the learned Assistant Government Pleader for Land Acquisition fairly conceded that in similar fact situations as the one appearing in this writ petition, this Court in WP No.7016 of 2017 and batch, by order dated 30-08-2017, set aside the declarations under Section 19 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (for short, "the Act") reserving liberty to the petitioners therein to raise objections as provided under Section 15 (2) of the Act and issued consequential directions.

2. The grievance of the petitioners herein is also similar. Their case is that they raised objections under Section 15 (1) of the Act, but no opportunity of personal hearing is afforded to them as required under Section 15 (2) of the Act. That being the position, the impugned declaration under Section 19 (1) of the Act in respect of the petitioners' lands in question is set aside, and it is open for the petitioners to raise objections as are permissible under Section 15 (1) of the Act and thereafter, the petitioners be given opportunity of hearing in the matter, under Section 15 (2) of the Act and the competent-authority to pass a reasoned order after considering the objections raised by the petitioners, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

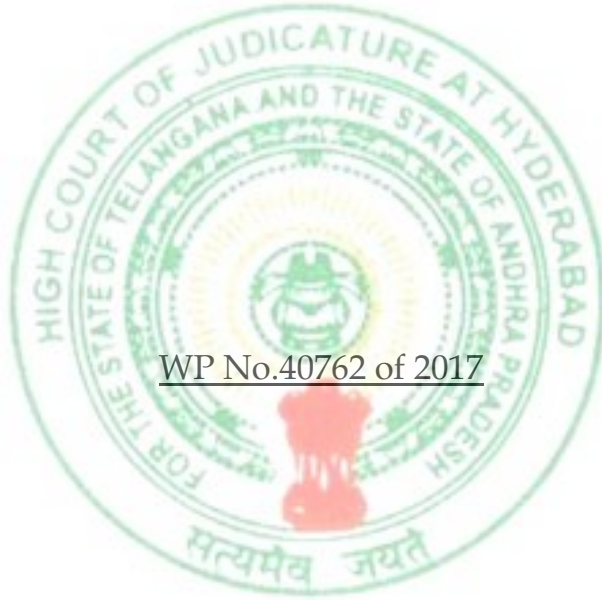
3. The writ petition is allowed to the extent indicated above. Miscellaneous petitions, if any pending in this case are also dismissed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

Dated: 04-12-2017
NRG

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