

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.2076 of 2018

ORDER:

This Writ Petition is filed mainly on the ground that the Land Acquisition Officer ignoring the litigation pending between the parties with respect to the property which was under acquisition is proceeding to distribute the compensation amount under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act').

Heard learned counsel for the petitioner and learned Government Pleader appearing for the respondent authorities.

As can be seen from the material placed before this Court, the land acquisition proceedings are at the stage of Section 19 of the Act; as on date, notification under Section 21 of the Act has not been issued and no Award as such has been passed.

It is to be noted that even before an Award is passed, the question of disbursement of compensation amount does not arise. Inasmuch as declaration under Section 19 of the Act has been given, if the petitioner has any objection, she has to submit the same before the Land Acquisition Officer, who is bound to take

into consideration the same. Except issuing a legal notice, the petitioner has not placed before the authorities her claim supported by documentary evidence.

In those circumstances, the writ petition is closed by giving liberty to the petitioner to approach the Land Acquisition Officer by filing appropriate application raising objections and explaining the circumstances, under which, she is entitled to the compensation amount along with respondents 7 to 20, with all documentary evidence in support of her claim. As and when such application is filed in response to the notification as enjoined under law, the Land Acquisition Officer is duty bound to consider the same and pass appropriate orders.

Miscellaneous Petitions, if any pending shall stand closed.
There shall be no order as to costs.

CHALLA KODANDA RAM, J

25th JANUARY, 2018.

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