

The Hon'ble Sri Justice V.RAMASUBRAMANIAN
and
The Hon'ble Sri Justice T. AMARNATH GOUD

L.A.A.S No.321 OF 2015

Date:06.02.2018

Between:

K. Seshi Reddy S/o. Anki Reddy,
Aged 72 years, R/o. Talamudipi village,
Midthur Mandal, Kurnool District.

...Petitioner

Vs.

Special Deputy Collector, L.A. & Reh
Srisailam Project, Kurnool.

... Respondents

Counsel for Petitioner : M/s. M. Sudhakar Reddy

Counsel for Respondent : Government Pleader for Appeals

Gist :

Head Note :

Cases Referred :



THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE SRI JUSTICE T. AMARNATH GOUD

L.A.A.S. No.321 of 2015

JUDGMENT: (per V. Ramasubramanian, J)

This is an appeal filed by the claimants under Section 54 of the Land Acquisition Act, 1894, objecting to the limited enhancement granted by the Reference Court.

2. Heard Mr. M. Sudhakar Reddy, learned counsel appearing for the appellant and the learned Government Pleader appearing for the respondent.

3. The Government acquired a vast extent of land for the purpose of Submersion of Alaganur Balancing Reservoir. The Land Acquisition Officer passed an award fixing the compensation at Rs.36,000/- per acre. The reference Court enhanced the same to Rs.52,000/- per acre. Claiming that the compensation should have been fixed at Rs.1,50,000/- per acre, the claimant has come up with the above appeal.

4. It appears that in a batch of appeals in LAAS No.749 of 2007 and batch, a Bench of this Court fixed the compensation payable at Rs.1,00,000/- per acre, by its judgment dated 15.02.2011. It is seen that the lands covered by the said batch of cases, belonged to the same village and were acquired for the very same purpose. The date of notification as well as the date of the award were also same.

5. Therefore, following the judgment of this Court dated 15.02.2011 in LAAS Nos.749 of 2007 and batch, this appeal is also allowed, fixing the compensation at Rs.1,00,000/- per acre. However, the appellant had come up with the above appeal after delay of (2871) days. While condoning the delay by an order dated 30.09.2015, this

Court made it clear that the appellant will not be entitled to the interest for the period of delay.

6. Therefore, this appeal is allowed fixing the compensation at Rs.1,00,000/- per acre and directing the respondents to pay all benefits as statutorily applicable, subject to the condition that the enhanced amount will not bear any interest for the period of (2871) days.

7. Miscellaneous petitions, if any, pending shall stand dismissed.
No order as to costs.

V. RAMASUBRAMANIAN, J

T. AMARNATH GOUD, J

February 06, 2018
KTL

