

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No. 301 OF 2017

ORDER:

This contempt case is filed alleging non-implementation of the order, dated 09.06.2011, passed by this Court in W.P.M.P.No.18367 of 2011 in W.P.No.15308 of 2011.

The above said order reads as under:

“Learned Government Pleader for Land Acquisition, on instructions, submitted that the enquiry under Section 5-A of the Land Acquisition Act, 1894 is in progress.

The petitioners are hereby permitted to raise their objections within one week from the date of receipt of this order. If any such objections are raised, the 5th respondent shall consider the same before taking further steps.”

Respondent No.3-Revenue Divisional Officer, who was the Land Acquisition Officer at the relevant point of time, filed a counter-affidavit, the sum and substance of which are, a notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short ‘the Act’) was issued for the purpose of allotment of the land to the Andhra Pradesh Industrial Infrastructure Corporation Limited for establishment of Industrial Park and subsequently, the land acquisition proceedings are lapsed since the Award was not passed within two years in terms of Section 11-A of the Act, as such, there is no necessity of compliance of the orders of this Court by conducting enquiry under Section 5-A of the Act and that if the land is required for public purpose, the respondents would invoke the provisions of the Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel for the petitioner vehemently submits that the respondents are interfering with the possession of the land of the petitioner for laying a road.

As the contempt case is filed for non-compliance of the order, dated 09.06.2011, in view of the subsequent developments, it can be said that there is no contempt on the part of the respondents.

Hence, the contempt case is closed, leaving it open to the petitioner to work out the remedies with respect to her grievances, in accordance with law.

Consequently, miscellaneous applications, if any shall stand closed.

CHALLA KODANDA RAM, J

Dt:27.03.2018

kdl