

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.NO.4223 OF 2017

ORDER

Heard the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition.

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“To declare the inaction by the 3rd respondent herein, in not paying compensation in favour of the petitioner herein to a tune of Rs.6,64,900/- for acquisition of land to an extent of Ac.0-40 cents in RS.No.85/2 of Gundepalli village of Nallajarla mandal, West Godavari District in spite of proceedings in Roc.No.1/2016(c) dated 19-02-2016 of the 3rd respondent, as illegal, arbitrary and unconstitutional and consequently direct the respondents 2 and 3 herein to forthwith pay the said compensation in favour of the petitioner and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

Earlier the petitioner herein filed W.P.No.30458 of 2015 before this court, questioning the action of the Special Deputy Collector (Land Acquisition) in postponing the enquiry, and for a further direction to the said authority to finalize the enquiry. This court disposed of the said writ petition by way of order dated 2.11.2015. The operative portion of order reads as under:

“Obviously, the enquiry cannot be indefinitely postponed in this manner and it is imperative for the second respondent to issue final notice to the petitioner as well as the said awardee by fixing the date of enquiry and on that day, conduct enquiry and pass appropriate orders, preferably, within a period of four (4) weeks from the date of receipt of a copy of this order.”

In pursuance of the above said orders passed by this court, the Special Deputy Collector (Land Acquisition), 3rd respondent herein, issued proceedings bearing Roc.No.1/2016 (c) dated 19.02.2016 awarding a sum of Rs.6,64,900/- for the land admeasuring Ac.0.40 cents in RS.No.85/2, Gundepalli Village of Nallajarla Mandal, West Godavari District. In the said proceedings, the 3rd respondent also directed the petitioner to

produce the bank account number, for submitting bill to the Pay and Accounts Officer, Euru, for crediting the compensation to the account of the petitioner herein. According to the petitioner, vide representation dated 21.12.2016, she has furnished the particulars of bank account, to which the amount is required to be credited.

In the above background, the grievance of the petitioner is that no action has been taken so far by the respondents herein in spite of awarding compensation and directions for crediting the amount to the account of the petitioner.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition, the writ petition is disposed of with a direction to the respondents herein to take further consequential action in accordance with law, pursuant to the proceedings of the 3rd respondent dated 19.02.2016, within a period of three months from the date of receipt of a copy of this order.

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

A.V.SESHA SAI,J

DATE:03—01—2018

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