

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No.6986 of 2018

ORDER:

It is the contention of the petitioners that their lands situated at Taduvai Village, Jangareddygudem Mandal, West Godavari District, are sought to be acquired under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 for providing house sites for the displaced persons under Polavaram Project and thereby making the petitioners as landless poor persons.

The learned counsel for the petitioners submits that in identical circumstances in W.P.No.3836 of 2018, while considering the fact that the land of the petitioners therein was already acquired and once again land acquisition proceedings have been initiated, this Court considering the specific contention that for rehabilitating the land oustees, can the petitioners be made landless poor persons, granted interim stay of passing of Award.

Now, the learned Government Pleader for Land Acquisition submits that in W.P.No.3836 of 2018, there is no stay of Notification but only passing of Award with respect to the land of the petitioners therein. There being no restraint in regard to passing of Award with respect to the present petitioners, as a matter of fact, Award came to be passed on 19-02-2018. In those circumstances, the learned Government Pleader for Land Acquisition submits that the writ petition itself is infructuous particularly considering the prayer of the writ petitioners.

Having considered the respective submissions and there being no dispute at this point of time that Award has already been made, the relief prayed in the writ petition cannot be granted. However,

considering the fact that the question raised in the present writ petition being identical to that of W.P.No.3836 of 2018, the petitioners are given liberty to question the Award dated 19-02-2018.

Accordingly, with the above observation, the writ petition is closed. No costs. Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM,J

Date: 12.03.2018
TSNR

