

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.606 OF 2007

ORDER:

The writ petition is filed to declare the Notification, dated 02.11.2000, issued under Section 4(1) of the Land Acquisition Act, 1984, proposing to acquire the land of the petitioner, as illegal and arbitrary.

2. It is represented by Mr.Y.Soma Raju, learned Assistant Government Pleader for Land Acquisition, that the subject matter of this writ petition is similar to the subject matter in W.P.No.11844 of 2007, which was disposed of on 5.12.2017.

3. Today, when the matter has come up for hearing, learned counsel for the petitioner submitted that the petitioner is entitled for the benefit under Section 24(1(a) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act of 2013").

4. Learned Government Pleader for Land Acquisition does not dispute the same.

5. According to Section 24(1)(a) of the Act of 2013, where the land acquisition proceedings are initiated under the Land Acquisition Act, 1894 and where no award under Section 11 of the said Land Acquisition Act has been made, then, all the provisions of this Act relating to the determination of compensation, rehabilitation and resettlement shall apply.

6. Admittedly as no award has been passed, the petitioner is entitled to the compensation under Section 24(1)(a) of the Act of 2013 and the respondents are liable to pay the same.

7. With the above observation, the writ petition is disposed of. As a sequel, the miscellaneous petitions pending if any shall stand closed. No order as to costs.

T.AMARNATH GOUD, J

Date: 16-08-2018
Slk

