

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

Writ Petition No 8968 of 2017

ORDER:

This Writ Petition is filed challenging the action of respondent No.3 in not considering the petitioner's claim for payment of compensation for his land admeasuring Ac.0.29 guntas, Ac.1.15 guntas, Ac.0.07 guntas respectively covered by Survey Nos.198/ ౬, 199/ ౪4, 367/ ౫ of Dacharam Revenue

Village, Kukkunuru Mandal, West Godavari District, acquired under the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act').

2. This is the case where there is rival claim with respect to the compensation amount that was awarded in relation to the aforesaid lands.

3. This Court, by order dated 15.03.2017, recorded that the award has already been made as per the provisions of the 2013 Act, however, at request of the learned counsel for the petitioner, the matter was adjourned. Thereafter, on 25.04.2018, while noticing that the award was made and no useful purpose would be served in continuing the writ petition, this Court directed the matter to be listed under the

caption “for dismissal” as there was no representation for the petitioner.

4. Learned counsel for the petitioner submits that in as much as the award has already been made in terms of Section 21 of the Act he seeks liberty to approach the Collector seeking reference of the dispute with respect to the compensation amount by invoking Section 64 of the Act

5. This Court feels that there can be no objection with respect to the aforesaid request that is made by the petitioner’s counsel.

6. In the circumstances, by giving liberty to the petitioner to approach the Collector in terms of Section 64 of the Act seeking reference of the dispute to the competent authority with respect to apportionment of compensation between the petitioner and respondents 4 to 6, this Writ Petition is disposed of. No order as to costs.

Miscellaneous Petitions, if any, pending shall stand closed.

CHALLA KODANDA RAM, J

30.04.2018
MVA