

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

C.C.NO.1182 OF 2017

ORDER

This court by order dated 15.12.2016 in W.P.No.43522 of 2016 directed the respondent to dispose of the application of the petitioner for payment of compensation. Complaining violation of the order of this court, the present contempt case is filed.

Respondent filed counter affidavit stating that in compliance of the order passed by this court, the Additional Joint Collector and Land Acquisition Officer, National High Ways, West Godavari District, Eluru, issued proceedings in Roc.No.4/AJC/NH-216 dated 23.3.2017. The said proceeding is enclosed to the counter affidavit.

Heard the learned counsel for the petitioner.

The learned Assistant Government Pleader appearing for the respondent submitted that the petitioner was issued notice, but he failed to appear and as such, respondent issued proceedings dated 23.03.2017, stating that already notification was issued under National Highways Act, 1956 (for short 'the Act') determining the compensation in terms of the said Act and that if the petitioner is still aggrieved, he can prefer appeal before the District Collector and Arbitrator, West Godavari District under Section 3 (G)(5) of the Act.

A perusal of the contents of the counter goes to show that in pursuance of the order of this court, proceedings dated 23.03.2017 was issued stating that provisions of the Act were followed and compensation

was determined and if petitioner is aggrieved, he may avail the remedy of appeal under Section 3(G)(5) of the Act.

In view of proceedings dated 23.3.2017, I do not see any violation of the order passed by this court and the contempt case is disposed of giving liberty to the petitioner to avail the appellate remedy under the Act.

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

A.RAJASHEKER REDDY,J

DATE:12—02—2018

AVS

