

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

W.P.NO.7516 OF 2017

O R D E R

Heard the learned counsel for the petitioner, leaned Government Pleader for Land Acquisition for respondent No.2 and Sri S.S.Varma, learned Standing Counsel for respondents 1 and 3.

The grievance of the petitioner in the present writ petition is the inaction on the part of respondent authorities in considering his claim for determination of just compensation under the provisions of sub section 5 of Section 3-G of National Highways Act, 1956.

According to the petitioner, award in the instant case was passed on 31.12.2015 and he got issued notices on 12.04.2016, 22.10.2016 and 11.12.2016 to the respondents seeking enhancement of compensation.

Learned Government Pleader for Land Acquisition and learned Standing Counsel appearing for respondents have taken an objection stating that the petitioner is seeking enhancement of compensation under provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as such, the request of the petitioner is unacceptable.

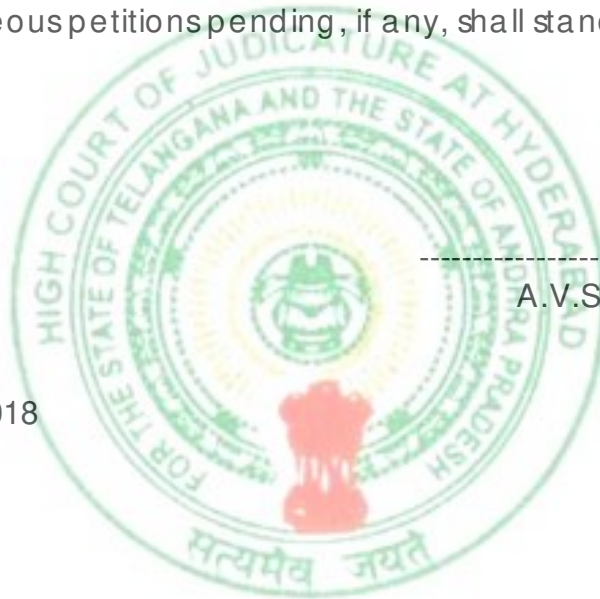
On the other hand, the learned counsel for the petitioner submits that the claim of the petitioner can be considered under the provisions of National Highways Act, 1956. Eventually, he prays that the petitioner may be permitted to file fresh application under the provisions of the said Act seeking for enhancement of compensation.

Having heard the learned counsel for the petitioner, learned Government Pleader for Land Acquisition for 2nd respondent and Standing Counsel for respondents 1 and 3, this court deems it proper to dispose of the writ petition, keeping it open to the petitioner to submit application under the provisions of sub section 5 of Section 3-G of National High Ways Act, 1956, within a period of three weeks from the date of receipt of a copy of this order and, if any such application is made within the time stipulated, the same be considered by the competent authority and appropriate further action be taken strictly in accordance with law, as expeditiously as possible.

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

DATE: 03—01—2018

AVS



A.V.SESHA SAI,J