

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 41261 of 2018

ORDER:

Land acquisition notification was issued to acquire private land for public purpose from Bhadrachalam Road (Kothagudem) to Sathupally station. The said land acquisition notification also covered the land to an extent of Ac.1-18 guntas in Survey No.19/2 of Peddireddygudem village of Annapareddy mandal. Award was passed determining the compensation payable to the land loser. However, the compensation as determined was not paid. Aggrieved thereby, this writ petition is filed.

According to the learned Government Pleader, objections were received on payment of compensation and in view of the dispute raised, a decision is made by the competent authority to refer the dispute to the Land Acquisition Rehabilitation & Resettlement Authority under Section 76 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013). According to him, the petitioners are shown as occupiers of the subject land whereas in the revenue records, the name of Smt. Sultana Begum is reflected as pattadar, and there is a dispute raised that the petitioners are not having pattadar passbooks in their name and their names were not reflected in the revenue records and one Waheeda Begum is shown as enjoyer.

Apparently, some rival claims are made and whether the rival claims are valid is a matter for consideration by the competent authority and this Court cannot express any opinion. Also, on the rival claims, a decision was already taken to refer the matter to the competent authority under Section 76 of the Act 30 of 2013.

Therefore, the Land Acquisition Officer is directed to take steps to refer to the authority and also request the authority for expeditious disposal of the claim on entitlement of the persons to receive the compensation as per the compensation determined.

The writ petition is disposed of accordingly. No costs. Miscellaneous petitions, if any pending, shall stand closed.

P. NAVEEN RAO, J

29th November, 2018

KSM



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