

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.43315 OF 2018

DATED :11.12.2018

Between :

P. Kumar S/o.Raja Rao,
Aged about 44 yrs, Occu : Private Employee,
R/o.Flat No.108, SriHarsha Nagar,
Vamsi Enclave, Marripalem,
Near Railway Quarters, Visakhapatnam & others.

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Petitioners

And

Union of India,
Rep., by its Secretary,
Ministry of Road Transport & Highways,
Sastry Bhavan, New Delhi, & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Land Acquisition for respondents 5 and 6 and Sri S.S.Varma, learned Standing counsel for respondents 1 to 4.

2. Petitioners claim to be the owners of small extents of land in Sy.No.120/13 and 120/14 of Saripalle Village, Pendurthi Mandal, Visakhapatnam District. This land along with several extents of lands were sought to be acquired for the purpose of widening of existing national highway by the National Highways Authority. The matter is at the stage of 3 (D) notification of the National Highways Act (for short 'the Act'), and now steps are being taken to issue notice under Section 3 (G) of the Act. Petitioners contend that their names are not reflected in the notification issued, though their properties are also under acquisition and they should have been put on notice. Petitioners also contend that in fact they filed objections in June, 2018. But those objections are not considered.

3. As stated by learned Standing counsel, the matter is at the stage of issuance of notice under Section 3 (G) of the Act and if petitioners have any objections of not reflecting their names or reflecting the names of some third parties who are unconcerned with the properties, it is always open to them to raise objection even at Section 3 (G) stage.

4. The Court is not inclined to interfere at this stage. However, liberty is granted to petitioners to raise objections. The respondents are directed to put on notice the petitioners at the stage of Section 3(G) and consider their objections before finalizing the proceedings.

5. With the above directions, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

11th December, 2018
Rds

