

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.43984 OF 2018

Date:28.12.2018

Between:

Smt. Gaddi Swathi, W/o. Panduranga,
Aged 34 years, Occ: Business,
R/o.H.No.3-3-341 & 342,
Kutbiguda, Kachiguda, Hyderabad

.. Petitioner

And

The State of Telangana, rep., by
its Principal Secretary, Revenue
(L.A.) Department, Secretariat,
Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.43984 OF 2018****ORDER:**

Heard.

2. According to petitioner, she has taken lease of shop bearing Door No.4-5-290/A, Sultan Bazaar, Hyderabad, on 26.10.2008 and the said lease is being renewed from time to time. In this Writ Petition, petitioner challenges the award dated 02.07.2018 passed by the Land Acquisition Officer, primarily on the ground that as a tenant of the subject premises, which was acquired for Metro Rail Project, she is entitled to be heard for determination of compensation and also entitled to the benefits of Rehabilitation and Resettlement under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Learned Government Pleader for Land Acquisition would submit that after passing of the award, compensation payable to the subject property was already paid and petitioner did not protest when proceedings were initiated for acquisition of the property, but straight away filed this Writ Petition only after award was passed and compensation was paid. Further, he would fairly submit that if any other tenants are extended the Rehabilitation and Resettlement benefits and if the petitioner satisfies that she is also the tenant of the subject premises, the benefits extended to the other tenants will be extended to the petitioner also, but for this purpose, she should make an application to the Land Acquisition Officer.

4. Learned counsel for the petitioner fairly agrees for the suggestion of learned Government Pleader for making an application by the petitioner.

5. The Writ Petition is accordingly disposed of granting liberty to the petitioner to file an application before the Special Deputy Collector and Land Acquisition Officer (Metro Rail Project), Rasoolpura, Hyderabad, the 3rd respondent herein, with the supporting documents to show that she is tenant of the subject premises. On filing such application, the Land Acquisition Officer shall examine the claim of the petitioner vis-à-vis the Rehabilitation and Resettlement benefits extended to other tenants and if the petitioner is eligible, she shall be extended the said benefits within a period four weeks from the date of application. Since learned counsel for the petitioner requests one week time for vacating the premises by the petitioner, the same is extended to her. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:28.12.2018

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