

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.46593 of 2018

ORDER :

The petitioners claim that though their land was acquired, compensation payable to them is not paid so far, causing undue hardship and suffering.

This writ petition is filed praying to declare the action of respondents 1 to 4 in not providing funds and that of respondent No.5 in not passing award and not paying compensation to the petitioners in respect of their properties abutting Alampally road at Vikarabad acquired for the purpose of road widening.

According to the learned Government Pleader, award was already passed on 25.04.2017. However, the compensation could not be paid, as the Finance Department has not accorded sanction. Bills were also submitted on three occasions to the Pay and Accounts Office (Works Department) at Vikarabad cumulatively to release more than Rs.6.00 crores for the purpose of disbursement of compensation.

Since the land was proposed for acquisition, steps were taken and award was passed. There is no justification in denying payment of compensation to the land owners, as it would amount to arbitrary exercise of power and authority in taking possession of private lands for public purpose, without paying compensation and depriving their right to enjoy the property owned by them.

The Principal Secretary, Finance & Planning Department, 3rd respondent herein, is directed to release the funds towards disbursement of compensation to the petitioners and others, whose lands were acquired for the purpose of widening of the road at Vikarabad covering the award proceedings No.B/1863/2007 dated 25.04.2017, as expeditiously as possible, preferably within a period of four weeks, and

the 5th respondent herein is directed to pay compensation to the petitioners within a further period of two weeks.

The Writ Petition is, accordingly, disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

24th December, 2018
JSU

P.NAVEEN RAO, J



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DATED : 24.12.2018

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