

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.3394 of 2019

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Revenue for respondent Nos.1 to 3, learned Government Pleader for Roads and Buildings for respondent No.4, Ms. Pushpindar Kaur, learned Standing Counsel for Railways for respondent No.5 and learned Government Pleader for Home for respondent No.6.

2. The grievance of the petitioner is that the respondents proposed to acquire his land in Sy.No.79, Kyathanpally Village, Mandamarri Mandal, Adilabad District, for the purpose of construction of Road Over Bridge, without following due process of law.

3. In the light of the allegations made by the petitioner, this Court, on 19.02.2019, while passing the order of *status-quo*, directed the learned Government Pleader to get instructions.

4. Today, when the matter is taken up, respondents 1 to 3 filed counter-affidavit along with the copy of award dated 21.09.2017 in Proc.No.A/8930/2013, which discloses that the land admeasuring Ac.1.05½ gts, dry, in Sy.No.79/2 (79/3/3), situated at Kyathanpally Village (item No.26), is the subject matter of the award. It is also the specific assertion of the respondents that the

copy of award was also served to the petitioner, which was not denied by the petitioner.

5. Inasmuch as the award copy has been served to the petitioner along with the counter, if the petitioner has any grievance with respect to the award, he shall avail the remedies available under law with respect to the amount of compensation by invoking Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013), and if such application is filed, the competent authority may consider the same by condoning the delay, if any, in view of the fact that the copy of award was served to the petitioner through the counter-affidavit, and pass appropriate orders in accordance with law.

6. With the above observation, the Writ Petition is disposed of. No order as to costs.

7. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

22nd February, 2019

sj