

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.7129 OF 2008

Date: 13.6.2019

Between:

Murlimal Futnani

.. Petitioner

And

The Land Acquisition Officer,
Siddipet, Medak district at Medak.

.. Respondent

The Court made the following:



THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.7129 OF 2008

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for respondent.

2. According to the petitioner, the respondent initiated proceedings under Land Acquisition Act, 1894 for the purpose of road widening and in that process, the land to an extent of Ac.0.38 guntas comprising of compound wall, four full grown neem trees, one tamarind tree and an open well of the petitioner were acquired. The Land Acquisition Officer passed the award on 4.11.2006, determining compensation of Rs.3,04,000/- for the land acquired and Rs.51,974/- for the structures. Being not satisfied with the compensation awarded, petitioner filed claim application under Section 3G(5) of National Highways Act, 1956 for referring the matter to Arbitrator for determination of true and proper market value of the acquired lands. Alleging inaction on the said application, this writ petition is filed.

3. This Court by order dated 16.3.2009, directed the respondent to forthwith refer the claim petition of the petitioner to the District Collector for enhancement of compensation pursuant to award dated 4.11.2006.

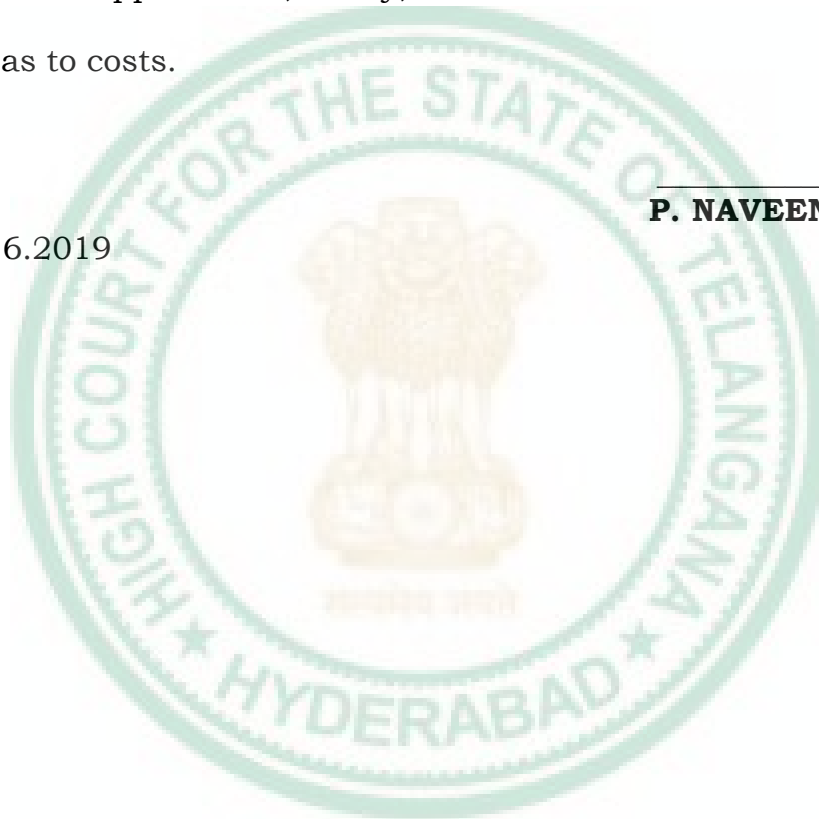
4. Today, when the matter is taken up, the learned Government Pleader produced copy of the order passed by the Arbitrator-cum-District Collector in Appeal No.G3/6262/2008-3 dated 12.9.2016, wherein it was held that the National Highway Authority is liable to pay enhanced compensation of Rs1,60,000/- per acre with all statutory benefits on enhanced market value i.e. 30% solatium, 12%

additional market value and also to pay interest @ 9% per annum on the enhanced compensation from the date of award till the date of passing the said order.

5. In view of the same, nothing survives in the writ petition for further adjudication. Accordingly, the writ petition is dismissed. However, if the petitioner is not satisfied with the same or if he was not paid with the enhanced compensation, it is always open for him to work out his remedies as available to him under law. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date: 13.6.2019
DA

P. NAVEEN RAO, J



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13.6.2019

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