

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8300 of 2019

ORDER:

Petitioner claims that she purchased a plot bearing No.23, admeasuring 200 square yards in Survey Nos.278 and 279/15 situated at Palkonda Village, Mahabubnagar Mandal and District, under registered sale deed, dated 12.02.2004, for valuable consideration and that without issuing any notice, proceedings were initiated by the respondent authorities for acquiring the said plot.

Learned Assistant Government Pleader for Land Acquisition placed before this Court the written instructions, dated 17.04.2019, received from respondent No.3-Revenue Divisional Officer/Land Acquisition Officer, Mahabubnagar, wherein it is stated that notification came to be issued on 07.11.2018, proposing to acquire land admeasuring Acs.11.17 guntas for construction of new Collectorate building and acquisition proceedings are in progress. Learned Assistant Government Pleader submits that part of the land of the petitioner is also forming part of the acquisition proceedings and in view of general elections to Lok Sabha, the award proceedings have not yet been concluded and it would take two months time for completion of the same.

In view of the above, since no award has been passed, no compensation has been paid as required under Section 38 of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act') and as

the petitioner asserts that the respondents are not receiving her claim, the writ petition is disposed of directing the Land Acquisition Officer to issue notice to the petitioner in the award enquiry as required under Section 21 of the Act. It is made clear that possession of the land of the petitioner cannot be taken without conducting award enquiry and without passing award and payment of compensation in terms of the award as required under Section 38 of the Act.

Miscellaneous petitions, if any, pending in this Writ Petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:24.04.2019

kdl



