

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8863 OF 2019

ORDER:

This Writ Petition is filed seeking a direction to the 2nd respondent to pay compensation awarded in proceedings No. B/64/2015, dated 10.05.2016 passed by the 3rd respondent with respect to Survey No. 362, Chinthakunta Village, Kondamallepally Mandal, Nalgonda District.

The complaint of the petitioners is that though the Award was passed on 10.05.2016, compensation amount has not been paid to them. On account of the claims made by the 3rd parties, who are also parties to O.S. No. 130 of 2015 on the file of the Court of the Junior Civil Judge at Devarakonda, the amount of compensation would not be paid to them, apprehend the petitioners.

Heard learned counsel for the petitioners.

Learned Government Pleader for Land Acquisition, who secured instructions, would submit that the Award dated 10.05.2016 was withdrawn and that the matter is at the stage of Section 19 proceedings and as a matter of fact, the petitioners' names were shown in Form No. 7 with respect to Survey No. 362 over an extent of Acs.11.02 guntas along with two others. The learned Government Pleader further submits that the petitioners hold laoni patta and their claim would be considered at the time of Award inquiry and if they are entitled to receive compensation, the same would be determined and paid by the Land Acquisition Officer subject to their eligibility.

Having regard to the subsequent developments and as on date, since no Award has been made, the Writ Petition is disposed of, giving liberty to the petitioners to approach the Land Acquisition Officer and make claim in the process of Award Inquiry under Section 21 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. On making such claim, needless to say, the Land Acquisition Officer shall consider the same before making an Award. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

30th April 2019

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CHALLA KODANDA RAM, J

