

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE Nos.741 AND 742 OF 2019

COMMON ORDER:

Since subject matter of these contempt cases is one and the same, they are being disposed of by this common order.

2. These Contempt Cases have been filed to punish the respondent alleging wilful violation of the orders dated 04.04.2019 passed by this Court in W.P. No.7237 and 7217 of 2019.

3. When the matters came up for hearing on 11.07.2019, taking into consideration the scope of the orders under contempt, this Court intended to ascertain whether any award has been made or not in the land acquisition proceedings. Today, learned counsel for the petitioners produced the award dated 31.05.2019. A perusal of the award discloses that as a matter of fact, enquiry notices were issued to the petitioners along with other claimants and their claims were, in fact, considered including the petitioners herein.

4. Though it is the contention of the learned counsel for the petitioners that the enquiry conducted was improper, validity or otherwise of the award dated 31.05.2019 cannot be canvassed in a writ petition or contempt court proceedings as there is a statutory remedy available under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 (for short 'Land Acquisition Act').

In as much as the orders passed by this Court in the writ petitions have been complied with, it cannot be said that the respondent has committed any contempt. Further, as on date, the petitioners have no ground for prosecuting the contempt case before this Court as the appropriate remedy to pursue further proceedings is under Section 64 of the Land Acquisition Act.

5. At this juncture, it is submitted by the learned counsel for the petitioners that the petitioners have already made applications under Section 64 of the Land Acquisition Act. In view of the same, the petitioners may pursue their applications before the competent authority which shall consider the same in accordance with law.

6. With the above directions, the Contempt Cases are closed.
No order as to costs.

As a sequel thereto, Miscellaneous Applications, if any pending, in these contempt cases stand closed.

CHALLA KODANDA RAM, J

July 29, 2019.

PV