

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12007 of 2019

ORDER:

Heard Sri D.Prakash Reddy, learned Senior Counsel appearing for Sri V.V.N.Narayana Rao, learned counsel for the petitioner and learned Government Pleader for Land Acquisition appearing for respondents.

This Writ Petition is filed challenging the notification dated 31.07.2017 issued under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) mainly on the ground that the exemption granted under Section 10A of the Act 21 of 2017 regarding social impact assessment, which is subsequently issued on 26.08.2017, as such, the impugned notification is illegal.

Learned Government Pleader for Land Acquisition could not dispute the fact that the exemption under Section 10A (e) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Telangana Amendment) Act, 2016 (Act No. 21 of 2017) was on 26.08.2017, which is subsequent to issuance of impugned notification.

In view of the same, without going into the other aspects, the impugned notification is set aside only on the ground that no exemption under Section 10A(e) of the Act 21 of 2017, exists as on the date of issuance of the impugned notification. However, this

order will not preclude the respondents from initiating proceedings afresh in accordance with law.

Accordingly, this Writ Petition is allowed.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

20-11-2019
kvs



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Date 20.11.2019.

kvs

