

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.23973 of 2016

ORDER:

This writ petition is filed raising dispute with respect to the entitlement to compensation in respect of the land acquired for the purpose of Ryalampadu Balancing Reservoir under Jawahar Lift Irrigation Project scheme. The implead petitioners also claim right over the property asserting that the property belongs to the brother of the writ petitioner. In essence, there are rival claims which are required to be adjudicated by the land acquisition officer. As per the instructions, as on date, no Award has been passed. Inasmuch as Section 21(2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'Act 30 of 2013'), mandates the Land Acquisition Officer to adjudicate the disputes/objections made with respect to entitlement, by conducting enquiry, and as both the parties have stated no objection for their respective claims being considered by the Land Acquisition Officer, I deem it appropriate to direct the Land Acquisition Officer to complete the enquiry and pass appropriate Award in terms of the provisions of Act 30 of 2013. It is needless to mention that both the petitioner as well as the private respondents shall be issued notices and afforded adequate opportunity to put forward their respective claims along with supporting material.

The writ petition is accordingly closed. No costs. Miscellaneous petitions, if any pending, shall also stand closed.

JUSTICE CHALLA KODANDA RAM

26th February, 2019
KSM

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