

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18796 of 2019

ORDER:

In this writ petition, petitioners challenge the land acquisition proceedings initiated under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act'), vide notification dated 21.05.2018, on the ground that the declaration requires to be made in terms of Section 19 of the Act has not been made and that by efflux of time and by virtue of the provisions of the Act, the acquisition proceedings deemed to have been lapsed.

The learned Assistant Government Pleader produced before this Court a copy of the written instructions received from the Revenue Divisional Officer, Bhongir, and submits that the land acquisition proceedings have been lapsed and as on date, there is no fresh notification issued. The same is placed on record.

This Court perused the aforesaid written instructions, relevant portion of which reads as under:

“Further, it is submitted that, since one year period is lapsed to publish declaration u/S.19(1), proposals submitted to the District Collector, Yadadri Bhuvanagiri to extend the period as per the provisions laid down u/S.19(7) of the RFTC & LARR

Act, 2013, for publishing declaration and soon after granting permission Declaration will be issued for the remaining extent admeasuring Acs.118.29 $\frac{3}{4}$ guntas including lands held by the petitioners herein.

Further, it is submitted that, possession of the land remained i.e. Acs.118.29 $\frac{3}{4}$ guntas for acquisition including the lands of the petitioners has not been taken and handed over to the Requisitioning Department (Irrigation Department) so far by this Respondent No.3 herein to take up any kind of work.”

In the light of the above, the writ petition is closed, by making it clear that the land admeasuring Acs.99.28 guntas covered by Survey Nos.193 to 207, situated at Basvapur Villge, Bhongir Mandal, Yadadri Bhongir District, belonging to the petitioners, shall not be acquired without following due process of law.

Miscellaneous Petitions, if any pending, shall stand closed.
There shall be no order as to costs.

CHALLA KODANDA RAM, J
30th AUGUST, 2019.

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