

**HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

**W.P.No.22678 of 2019**

**ORDER:**

The petitioners claim that the property which is fallen to their share is likely to be affected in the road widening over an extent of 204.90 sq yds. The case of the petitioners in the affidavit is that though they are also entitled to their respective share as legal heirs in the said property, the 2<sup>nd</sup> respondent issued land acquisition proceedings vide notice dated 06-06-2018 to the 3<sup>rd</sup> respondent only who is none other than the brother of the petitioners and therefore, as they have apprehended that if any compensation is granted, the same will be taken away by the 3<sup>rd</sup> respondent, they approached the 2<sup>nd</sup> respondent and filed objections for disbursing the entire compensation in favour of the 3<sup>rd</sup> respondent. They further assert that though they have filed an objection for the same, the 2<sup>nd</sup> respondent has proceeded to grant entire compensation in favour of the 3<sup>rd</sup> respondent only. Aggrieved by the action of the 2<sup>nd</sup> respondent, the present Writ Petition is filed.

2. Learned Standing Counsel for 2<sup>nd</sup> respondent-Corporation submits that the claim of the petitioners would be kept in view while disbursing the compensation and after considering the petitioners' request with respect to their shares, the compensation will be disbursed.

3. Having regard to the facts of the case, the Writ Petition is disposed of at the admission stage directing the 2<sup>nd</sup> respondent to take into consideration the cases of the petitioners as well as 3<sup>rd</sup> respondent, and if the amount is not being disbursed, no amount shall be disbursed unless there is a consensus of both parties with respect to their respective shares, and in the event of there being no consensus, as per the award being made in terms of the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act (Act 30 of 2013), the amount be deposited with the competent authority. No costs.

4. Miscellaneous petitions pending in the Writ Petition, if any, shall stand closed.

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**JUSTICE CHALLA KODANDA RAM**

Date: 18-10-2019.  
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