

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24734 of 2019

ORDER:

In this Writ Petition, petitioners' grievance is that for the purpose of laying/widening of road from Manneguda – Ravulapally Section of National Highway No.163, Vikarabad Revenue Division, Vikarabad District, their land to an extent of 5466.04 sq.meters in Survey No.49/1/2 situated at Manneguda Village, Parigi Mandal, Vikarabad District, was sought to be acquired without payment of compensation and they have been parted with the possession of the land more than the notified extent without issuing any acquisition proceedings and without passing any Award and payment of compensation.

Learned Government Pleader for Land Acquisition has placed before this Court written instructions dated 11.11.2019 issued by the fifth respondent – Competent Authority (Land Acquisition)-cum-Revenue Divisional Officer, Vikarabad Revenue Division, Vikarabad District, and submitted that the petitioner's land admeasuring 5466.04 sq.meters is the subject matter of Award dated 20.03.2019 and a sum of Rs.9,69,579/- was determined as compensation in terms of the National Highways Act, 1956 (for short 'the Act'); that in respect of their

further extent of 12045.02 sq.meters of land acquired, a notification was published in the Gazette on 13.12.2018 under the relevant provisions of the Act and the acquisition proceedings are in process; that further action would be taken as per the provisions of the Act and that as there is a dispute with respect to the entitlement to receive the compensation determined for the land admeasuring 5466.04 sq.meters, the compensation amount has been kept in the joint account of the fifth respondent and the Executive Engineer (R&B), National Highways Division, Hyderabad.

In view of the above, this Writ Petition is closed, leaving it open to the petitioners to file an application before the authority concerned for disbursement of the compensation amount. Further, if the petitioners had any grievance with respect to the quantum of compensation awarded, they are at liberty to workout the remedies available to them under the provisions of the Act. It is needless to mention that with respect to acquisition of additional land, the respondent authorities concerned are required to determine the compensation amount in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, provisions of which

have been made applicable to the lands acquired under the provisions of the National Highways Act, 1956, as well.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

CHALLA KODANDA RAM, J

12th NOVEMBER, 2019.

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