

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.2795 of 2020

ORDER:

This writ petition is filed seeking the following relief :-

“....to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 2nd respondent in neither considering the objections/ claims filed by the petitioners on 02/ 12/ 2019 nor furnishing the copy of the award to the petitioners to avail the remedies available under the National High Ways Act and dispossessing the petitioners from their respective houses situated at Gandhinagar, Sirampur Village, Sngapur G.P., Naspur Mandal, Mancherial District on the National Highway No.363 leading to Mancherial to Chandrapur without following the procedure as contemplated under National High Way Act as illegal, arbitrary, unwarranted and against the principles enunciated under Article 300A read with 21 of the Constitution of India and consequently direct the Respondent No.2 to consider the objection/ claim of the petitioners by furnishing the copy of the award to the petitioners to avail the remedies available under the National High Ways Act”.

Heard Sri Y.Ashok Raj, learned counsel appearing for the petitioners and Sri A.Laxminarayana, learned Standing Counsel appearing for the respondents.

It has been contended by the petitioners that they are owners of the houses abutting National High Way and the respondents have acquired their land without paying compensation, as sought by them, and without furnishing award copy. The petitioners have filed representation seeking enhancement of compensation. But, so far, the respondents have

not passed any orders on the said representation nor furnished the copy of the award nor enhanced the compensation.

Learned counsel appearing for the petitioners submits that appropriate orders be passed in the writ petition directing the respondents to furnish the award copy of the acquisition and also directing the respondents to consider the cases of the petitioners for enhancement of compensation.

Learned Standing Counsel appearing for the respondents contended that the copy of the award would be furnished to the petitioners within one week from the date of receipt of a copy of this order and it is always open for the petitioner to stake their claim for enhancement of compensation in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to furnish the copy of the award of the acquisition to the petitioners within one week from the date of receipt of a copy of this order. Upon such receiving the copy of the award, it is always open to the petitioner to stake their claim for enhancement of compensation in accordance with law.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 18-02-2020
Prv

