

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION Nos.18903, 18642, 18917 and 18996 of 2020

COMMON ORDER:

W.P.Nos.18903, 18642 and 18917 of 2020 are filed challenging the Preliminary Notification dated 25.02.2020 issued under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, the 'Act of 2013'), and the Declaration dated 24.06.2020 in Form VII issued under Section 19 of the Act of 2013, whereas W.P.No.18996 of 2020 is filed challenging the Award dated 18.08.2020 passed by the Special Deputy Collector, Land Acquisition, GHMC, Hyderabad.

The learned Government Pleader for Land Acquisition, on written instructions, has stated that in view of the fact that notices under Section 15(1) of the Act of 2013 have not been served on the petitioners herein personally, the matter may be remanded back to the authority concerned to commence the proceedings afresh from the stage of enquiry under Section 15 (1) of the Act of 2013. That the objections, if any, of the petitioners will be considered on merits and order will be passed accordingly.

The learned Government Pleader has further stated that the petitioners may be directed to receive the notices under Section 15 (1) of the Act of 2013.

The learned counsel for the petitioners has stated that the correct addresses of the petitioners are given in the cause title of the present writ petitions, and therefore, the notices under Section 15(1) of the Act of 2013 may be served on the said addresses.

In view of the above made submissions, the Declaration, dated 24.06.2020, and the Award dated 18.08.2020, are hereby set aside. The matter is remanded back to authorities concerned to commence the proceedings afresh from the stage of enquiry under Section 15 (1) of the Act of 2013. The notices under Section 15 (1) of the Act of 2013 shall be served on the petitioners on the addresses given in the present writ petitions. On such notice being served, the petitioners are free to file their objections and the authority concerned is directed to pass orders, strictly in accordance with the provisions of the Act of 2013 and duly following the procedure prescribed.

The writ petitions are accordingly disposed of.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.ABHISHEK REDDY, J

Date: 01.04.2021
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