

THE HON'BLE SMT. JUSTICE P. SREE SUDHA

CIVIL REVISION PETITION Nos.595 and 610 of 2021

COMMON ORDER :

Petitioners' counsel present. In spite of service of notice, the respondent did not turn up.

Heard the arguments of the petitioners' counsel.

These Civil Revision Petitions are filed aggrieved by the orders dated 16.03.2021 in I.A.No.253 of 2021 and I.A.No.254 of 2021 in L.A.O.P.No.1321 of 2008 passed by the III Additional District and Sessions Judge, Ranga Reddy District.

The petitioners herein are the claimants in L.A.O.P.No.1321 of 2008. During pendency of the said proceedings, the petitioners herein filed I.A.No.253 of 2021 and 254 of 2021 to reopen the evidence of the claimants and to summon the Sub-Registrar, Shamshabad to give evidence with regard to the valuation of the lands acquired by them.

But, the trial Court observed that the petitioners have not specified the year of the sales and moreover, the award dated 24.08.2007 goes to show that the Land Acquisition Officer has compared the sales made before 4(1) Notification while fixing the compensation. The Land Acquisition Officer has given sales statistics of the surrounding areas and its value before accepting or discarding the value and while fixing the compensation, as such, no purpose would be served in summoning the Sub-Registrar and accordingly, dismissed the applications. Aggrieved by the said orders, these Civil Revision Petitions are filed.

Learned counsel appearing for the petitioners had contended that the value assessed by the Land Acquisition Officer is less and he assessed the market value by ignoring the market value mentioned in different sale deeds as such, they intended to examine

the Sub-Registrar to adduce evidence basing on the documents filed by the claimants.

He further stated that in fact, the claimants sold part of the land i.e., Ac.0-26 guntas in Sy.No.83 situated at Ootpally Village, Shamshabad Mandal, Ranga Reddy District. Aggrieved by the proceedings dated 24.08.2007, the purchasers also filed LAOP No.1320 of 2008, wherein the Sub-Registrar was summoned and considering his evidence, the said LAOP was allowed and the compensation was awarded @ Rs.8,500/- per sq. yard and the Sub-Registrar mentioned the rates prevailing before 4(1) Notification and after 4(1) Notification and, therefore, the petitioners intended to summon the Sub-Registrar, Shamshabad for assessing the market value and for enhancement of compensation on yardage basis and for proper adjudication of the matter. However, the trial Court erroneously dismissed the applications.

Considering the submission of the learned counsel for the petitioners and in view of the fact that the Sub-Registrar was summoned in LAOP No.1320 of 2008 and also in view of the fact that the evidence of Sub-Registrar was considered for enhancement of the compensation, this Court finds it just and reasonable to set aside the impugned orders of the trial Court.

Accordingly, the Civil Revision Petitions are allowed setting aside the impugned orders of the trial Court. No costs.

Pending miscellaneous applications, if any, shall stand closed.

P. SREE SUDHA, J

Date: 07.09.2022

Prv

