

**THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR**

**WRIT PETITION No.18431 of 2020**

**ORDER:**

Heard learned counsel for the petitioners, learned Assistant Government Pleader for Land Acquisition appearing for respondent Nos.1 to 4 and Sri P.Sri Harsha Reddy, leaaaaaaaearned Standing Counsel appearing for respondent Nos.5 and 6.

2. The subject land admeasuring Ac.15-17 guntas along with certain other extents of lands are sought to be acquired by issuing a preliminary notification under Section 11 (1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act') in File No.A/SC/56/2018, dated 26.01.2020 by the respondents. Out of the said extent of Ac.15-17 guntas, an award has already been passed covering the land to an extent of Ac.7-00 and in respect of balance extent of Ac.08-17 guntas, no award has been passed. The petitioners in this writ petition are claiming compensation for the land to an extent of Ac.7-00.

3. According to learned counsel for the petitioners, petitioner No.6 has already been paid compensation in respect

of Ac.1-00 of land. Hence, there is no necessity to adjudicate the claim in respect of petitioner No.6 is concerned.

4. Insofar as claim for payment of compensation in respect of remaining extent of land is concerned, as the award is yet to be passed by respondent Nos.2 and 3, it is for the petitioners as well as the impleaded respondents to make a claim before respondent Nos. 2 and 3 at the first instance and in case, if the dispute is not resolved among the petitioners and impleaded respondents, it is obligatory on the part of respondent No.3 to refer the matter to the authority constituted under Section 64 of the Act, 2013, for adjudication on the apportionment and entitlement of compensation. In the event of such reference, it is always open for the petitioners as well as impleaded respondents to approach the said authority and make their claim petitions and on being made, it is for the authority to adjudicate the respective claim petitions and pass appropriate orders thereon.

5. In the circumstances, this Court is not inclined to adjudicate the claim of the petitioners as well as the impleaded respondents and accordingly, the Writ Petition is disposed of directing respondent Nos.2 and 3 to receive the claims from the petitioners as well as impleaded respondents and, in case if the

dispute is not resolved among themselves, after passing the award under Section 23 of the Act, 2013, to refer the matter to the authority under Section 64 of the Act, 2013 for entitlement of compensation by the petitioners as well as impleaded respondents in respect of the subject property. There shall be no order as to costs.

Miscellaneous petitions, if any, pending writ petition shall stand closed.

**Date:04.01.2023**

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**MUMMINENI SUDHEER KUMAR, J**

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**Date:04.01.2023**

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