

THE HON'BLE MR JUSTICE V ESWARAI AH

THE HON'BLE MR JUSTICE K.S. APPA RAO

A.S. NO. 221 OF 1999

DT.2.12.2011

Between:

The Land Acquisition Officer

... Petitioner

And

Vasamsetti Subbarao

... Respondents

Counsel for the Petitioner: Govt Pleader for Appeals

Counsel for respondent:

The Court made the following ORDER:

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JUDGMENT : (Per Sri Justice V Eswaraiah)

Aggrieved by the order and decree passed in O.P. No. 84 of 1994 dated 13.5.1998 by the Senior Civil Judge, Pithapuram, the

present appeal is filed. The appellant is the Land Acquisition Officer. The land of the respondent herein/claimant to an extent of Ac.0.36 cents in Survey No. 322/2, Ac.0.44 cents in Survey No. 323/7 and Ac.0.05 cents in Survey No. 317 of J Annavaram village along with various extents of land of other claimants was acquired for the purpose of Yeleru reservoir project pursuant to notification issued under Section 4 (1) of the Land Acquisition Act dated 30.8.2987. The Land Acquisition Officer passed an award dated 15.10.1988 fixing the market value at the rate of Rs.21,000/- per acre for the registered wet lands and Rs.12,000/- per acre for the dry lands. On protest by the claimants for such fixation of the market value, the matter was referred to the Sub Court, Peddapuram. Before the reference Court, the claimants sought for a compensation of Rs.1,00,000/- per acre and various claimants were examined as R.W.1 to R.W.9 and marked documents in Ex.B1 to B8. The Senior Assistant of the office of the Revenue Divisional Officer, Peddapuram was examined as P.W.1. Insofar as, the present case is concerned the claimant/respondent herein was examined as R.W.3.

As per Ex.B1 dated 2.3.1986 Ac.0.88 cents was sold for Rs.40,000/- i.e., Rs.55,000/- per acre. As per Ex.B2 dated 4.6.1987 Ac.0.50 cents was sold for Rs.40,000/- i.e., Rs.80,000/- per acre. Under Ex.B.3 dated 2.6.1988 Ac.0.50 cents was sold for Rs.30,000/- i.e., Rs.60,000/- per acre. As a matter of fact, for the lands acquired in J Annavaram village, this Court while dealing with an appeal arising out of O.P. No. 73 of 1992 in A.S No. 976 of 1996 fixed the market value at Rs.55,000/- per acre. Further, this Court in A S No.104 of 1995 dated 12.2.1998/Ex.B6 fixed the market value of wet lands situated at J Annavaram village at Rs.55,000/- per acre. Following the same, the Reference Court by its common order in O.P. No.84 of 94 and batch dated 13.5.1998 uniformly enhanced the compensation to Rs.55,000/- per acre irrespective of classification, which is just and reasonable and needs no interference by this Court.

There are no merits in the appeal and the same is hereby dismissed.

No costs.

DATE:02.12.2011
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K.S. APPA RAO,J