

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

CONTEMPT CASE No.121 of 2023

ORDER:

The petitioners being aggrieved by the non-payment of adequate compensation for acquisition of their lands had approached this Court by way of W.P.No.24464 of 2020, which came to be disposed of on 23.08.2022 with a direction to the respondents to pay compensation to the petitioners after determining the market value under Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, after deducting the ex-gratia amount, which has already been paid to the petitioners.

2. Aggrieved by the inaction of the respondents in complying with the directions of this Court, the petitioners have filed the present Contempt Case.

3. During the pendency of the Contempt Case, the 4th respondent has filed a counter affidavit stating that the market value has been determined at Rs.250/- Sq. yard and compensation, on the basis of the said market value has been paid to the petitioners by depositing the same into their bank accounts.

4. Sri. V. Rajanna, learned counsel appearing for the petitioners would submit that the market value in the area is Rs.900/- per Square Yard. However, the respondents have fixed the market value at Rs.250/- per Sq. yard with a malafide intention and the petitioners have refused to accept the compensation paid out into their bank accounts.

5. The question of whether the market value of the land should be fixed at Rs.250/- per Sq. yard or Rs.900/- per Sq. yard is a matter of which would have to be determined by the Appellate Authority and the same cannot be looked into by this Court in the Contempt Proceedings.

6. Accordingly, this Contempt Case is closed leaving it open to the petitioners to exercise their rights for payment of compensation claimed by them according to the existing market value. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

R. RAGHUNANDAN RAO, J

08.08.2023
KPV

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

CONTEMPT CASE No.121 of 2023

08.08.2023

KPV