
(2013) 07 MP CK 0328

In the Madhya Pradesh High Court

Case No : Writ Petition No. 6531 of 2013

Kalu Singh and Another

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 17-07-2013

Acts Referred:

Land Acquisition Act, 1894 — Section 18

Citation : (2013) 07 MP CK 0328

Hon'ble Judges : S.C. Sharma, J

Bench : Single Bench

Advocate : A.K. Shrivastava, for the Appellant; Vinita Phaye, Learned G.A. for the State, for the Respondent

Final Decision : Disposed Off

Judgement

S.C. Sharma, J.—The petitioners before this Court have filed this present petition for issuance of an appropriate writ, order or direction directing the respondents to decide the application preferred by the petitioners u/s 18 of the Land Acquisition Act, 1894. The contention of the petitioners is that certain acquisition proceedings were initiated under the Land Acquisition Act and an award has also been passed in the matter. The petitioners have further state that they were not satisfied with the quantum of the award passed by the land acquisition officer and they submitted an application u/s 18 of the Land Acquisition Act for making reference to the Civil Court. However, for the reasons best known to the respondents, the respondent No. 2 has not passed any order on the application preferred by the petitioners. The only prayer made before this Court is for issuance of an appropriate writ, order or direction directing the respondent No. 2 to decide the application preferred by the petitioners in accordance with law. Learned counsel appearing for the respondents/State has fairly stated before this Court that such a relief can be granted to the petitioners.

2. Resultantly, without averting to the merits of the case, the land acquisition officer is directed to decide the application preferred by the petitioners u/s 18 of

the Land Acquisition Act, 1894 within a period of 30 days from the date of receipt of certified copy of this order. It is needless to mention that in case, the application is not available with the land acquisition officer, the petitioners shall be free to submit the application enabling the land acquisition officer to decide the same in accordance with law.

3. With the aforesaid, the writ petition is disposed of. No order as to costs.