

**HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**

**MAIN CASE No:W.P.No.13671 OF 2026**

**PROCEEDING SHEET**

| SL. NO. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OFFICE NOTE |
|---------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 2       | 29.05.2026 | <p><b><u>GTK,J</u></b></p> <p>Heard Sri S.V.S.S. Siva Ram, learned counsel for the petitioner and Sri Anand Kumar, learned counsel for the respondents 2 to 4 appeared through virtual mode.</p> <p>The present writ petition is filed questioning the action of the respondents 2 to 6 in determining, awarding and consequently depositing the amount of Rs.1,43,57,322/- towards the compensation for structures and assets in the petitioner's Retail Outlet in the respondent No.7 land admeasuring an extent of 2025 sq. meters in Sy.No.336, Malakavemula Village and Panchayat, Mudigubba Mandal, Sri Sathya Sai District and 100% solatium in favour of the respondent No.7 without considering the petitioner's claim communicated vide letters dated 29.11.2024 and 23.09.2025 as arbitrary and illegal.</p> <p>Learned counsel for the petitioner would state that during the pendency of the present writ petition, there was a direction in I.A.No.3 of 2026 to the 9<sup>th</sup> respondent-HDFC Bank to</p> |             |

| SL. NO. | DATE | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | OFFICE NOTE |
|---------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|         |      | <p>freeze the account of the 7<sup>th</sup> respondent for a period of eight weeks. He further submit that the award dated 10.09.2025, passed by the 6<sup>th</sup> respondent which is now under the challenge in the present writ petition and during the pendency of the present writ petition, the 4<sup>th</sup> respondent has issued a “Reminder-1” NHA/PIU-KDP/13020/2026/NH-544G/ Court/ 21835 dated 26.05.2026.</p> <p>Learned counsel for the petitioner has drawn the attention of this Court to the paras 6 and 7 of the Reminder-1, which read as under:</p> <p>“6.As the subject matter was badly delayed, the NHA authorities have decided to forcefully remove the Retail outlet from the acquired land immediately with the support from the District Administration and Police Authorities. It is pertinent to mention that the NHA and the Concessionaire will not be responsible due to damage of the Retail Outlet assets during the removal of the retail outlet with heavy equipment.</p> <p>7. Hence, it is requested to take immediate necessary action for the removal of the Retail Outlet/vacate the land by 31.05.2026.”</p> <p>Learned counsel for the petitioner further drawn the attention of this Court to the award passed and that the last para the compensation for the structures and assets at para 7 and 100% solatium at para 8 would indicate that the compensation fixed as Rs.1,43,57,322/- which is now deposited and in that pursuit the present</p> |             |

| SL. NO. | DATE | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | OFFICE NOTE |
|---------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|         |      | <p>writ petition filed pending adjudication. The learned counsel would submit that the loss as per last paragraph of the award, but the authority which has passed the orders as in derogation to the very provisions of the Act on the ground of badly delayed, the authority decided to forcefully remove the Retail outlet from the acquired land immediately with the support from the District Administration and Police Authorities and the said action to be done even by 31.05.2026.</p> <p>On the other hand, Mr. Anand Kumar, learned counsel for the 4<sup>th</sup> respondent would submit that only after following the procedure annunciated under the provisions of law and the steps would be taken to ensure that the proper compensation would be provided to the petitioner as per law.</p> <p>After hearing both sides, this court finds that the order which is passed by the 4<sup>th</sup> respondent dated 26.05.2026 which is nothing but projects that the action of the respondents is not inconsonance with the directions passed by the Hon'ble Supreme Court recently in the judgment reported in (2024) 10 SCC 533 at para 30, the Hon'ble Supreme Court has formulated certain directions as to what the authority need to follow. Paragraph 30 reads</p> |             |

| SL. NO. | DATE | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OFFICE NOTE |
|---------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|         |      | <p>as follows:</p> <p><i>“30. What then are these sub-rights or strands of this swadeshi constitutional fabric constituting the right to property? Seven such sub-rights can be identified, albeit non-exhaustive. These are:</i></p> <ul style="list-style-type: none"> <li><i>i. duty of the State to inform the person that it intends to acquire his property – the right to notice,</i></li> <li><i>ii. the duty of the State to hear objections to the acquisition – the right to be heard,</i></li> <li><i>iii. the duty of the State to inform the person of its decision to acquire – the right to a reasoned decision,</i></li> <li><i>iv. the duty of the State to demonstrate that the acquisition is for public purpose – the duty to acquire only for public purpose,</i></li> <li><i>v. the duty of the State to restitute and rehabilitate—the right of restitution or fair compensation,</i></li> <li><i>vi. the duty of the State to conduct the process of acquisition efficiently and within prescribed timelines of the proceedings – the right to an efficient and expeditious process, and</i></li> <li><i>vii. final conclusion of the proceedings leading to vesting – the right of conclusion.”</i></li> </ul> <p>As seen from the order, the said directions are not followed by the authority and hence the order which is now passed need to be interdicted. At any rate since violation of principles of natural justice is a facet of Article 14 of the Constitution of India and the same is not followed, the authorities are directed not to proceed further against the petitioner and it is needless to state that if they intend to do so proper opportunity has to be provided and any action taken would be subject to the outcome of the present writ petition.</p> <p>List after summer vacation, 2026.</p> <p style="text-align: right;"><b>GTK,J</b><br/>Gk</p> |             |

| SL.<br>NO. | DATE | ORDER | OFFICE<br>NOTE |
|------------|------|-------|----------------|
|            |      |       |                |