

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: **W.P.No.18842 of 2023**

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE.
1.	27.07.2023	<u>NJS,J</u> Heard Mr.C.Raghu, learned Senior Counsel appearing for the petitioners. Also heard learned counsel representing the National Highways Authority of India, who places reliance on the Judgment in W.P.No.13995 of 2022 & batch dated 20.06.2023. Learned Senior Counsel while referring to the provisions of the National Highways Act, 1956 (for short 'the Act') more particularly Sections 3E, 3G and 3H of the Act submits that the authorities concerned without depositing the compensation amount payable to the petitioners, is trying to dispossess them from the subject matter property and the same is not sustainable in Law. He submits that earlier the compensation amount was determined by treating the lands as agricultural lands and now the compensation is arrived at on the basis of rates of residential plots and the same has to be deposited. This aspect has to be considered in detail after filing of counters by the concerned respondents. Be that as it may. As pointed by the learned Senior Counsel, Section 3H of the Act contemplates that the amount determined under Section 3G shall be deposited with the competent authority before taking possession of the land. PTO	

		In view of the said provision, there shall be a direction to the respondents not to dispossess the petitioners from the subject matter property, without depositing the compensation amount. List this case after three (3) weeks for filing counters of the concerned respondents. BLV _____ NJS,J	
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