

HIGH COURT OF ANDHRA PRADESH**LAAS NOs. 32 & 33 of 2020 and 49 of 2021****PROCEEDING SHEET**

Sl. No	DATE	ORDER	Remarks
	25.04.24	<u>UDPR, J & JS,J</u> <u>I.A.No.02 of 2024 in LAAS No. 32 of 2020</u> Heard Sri Shreedhar Dasari, learned counsel, representing Sri D. Vijay Kumar, learned counsel for the petitioner on record and the learned Government Pleader appearing for the respondent No.1 and Sri D. Kodandaramireddy, learned counsel appearing for the respondent No.4. This Application is filed seeking permission to withdraw 1/3rd of the compensation pertaining to the petitioner/Appellant-Claimant No.3 out of the compensation deposited by the respondent No.1 in LAOP No.52 of 2018 before the Land Acquisition, Rehabilitation and Resettlement Authority, Tirupati Region, Tirupati.	

		When the matter is taken up for hearing, it is brought to the notice of this Court that on 15.02.2020, in I.A.No.01 of 2020 in LAAS.No.33 of 2020, passed the following Order: “ Heard learned counsel for Appellant, Sri D. Kodandarami Reddy and the learned Government Pleader for Appeals. The submission of learned counsel for Appellant is that E. Vijaya Lakshmi, wife of the present appellant has admittedly 1/3rd share in the compensation amount and she executed Ex.A.1-Will dated 14.04.2013 in favour of the Appellant and the lower Tribunal, without appreciating the genuinity and validity of the said Will, has discarded the Will in its Order and thereby, deprived the 1/3rd share of E. Vijaya Lakshmi to the appellant, which was devolved on him by virtue of the aforesaid Will. His submission is that if the respondents 2 to 4 herein are permitted to withdraw the award amount, the appellant will be put to much hardship and even if he succeeds in the appeal, the decree will be otious. He, thus, sought for stay. The points raised by the petitioner in his argument need a thorough hearing after the respondents put up their appearance. Therefore, while directing the matter to be	
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		posted after four weeks, in the meanwhile, respondents 2 to 4 herein are restrained from withdrawing the 1/3rd compensation amount, if already not withdrawn, entitled to by the deceased E. Vijaya Lakshmi. Needless to emphasize that they are entitled to withdraw their respective shares in the compensation amount”. The above Order would show that so far as 1/3rd share of the Appellant/Clamant No.4 in LAAS No.33 of 2020 is concerned, other claimants were restrained from withdrawing the same and at the same time, this Court made it clear that the respondent Nos. 2 to 4/other claimants were entitled to withdraw their respective shares in the compensation amount. In view of the said Order, there is no need of passing any further order in this Application. The petitioner can approach the trial Court and by the strength of the order in I.A.No.1/2020 in LAAS.No.33 of 2020, dated 15.02.2020 can seek permission of the Land Acquisition, Rehabilitation and Resettlement Authority, Tirupati Region, Tirupati to withdraw his	
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		share. The said authority shall dispose of the said application accordingly. With the above observation, I.A.No.02 of 2024 is disposed of. <u>UDPR, J</u> <u>JS, J</u> <u>LAAS NOs. 32 & 33 of 2020 and 49 of 2021</u> Post the matters after eight weeks. <u>UDPR, J</u> <u>JS, J</u> eha	
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