

**DRAFT SUBJECT:- 84**

Sub:- VUDA - Land Acquisition - Bose Complex Land - Acquired vide Award No.3/82 dt.20-2-1982 in T.S.No.83/1 of Waltair Ward Ac.2.15582 sq.ft. SLP filed in Supreme Court of India - to accord approval to engage a Senior Counsel to defend the case in Supreme Court - Reg.

- Ref:-1) Hon'ble Supreme Court Judgement in Special Leave Petition No.1665 & 1666 of 2004 dt.22-2-2006.  
 2) G.O.Ms.No.314 MA & UD Department, dt.18-5-2009.  
 3) G.O.Ms.No.515 MA & UD Department, dt.18-8-2009.  
 4) Hon'ble High Court Judgement in W.P.No.17429/2009 dt.7-2-2011.  
 5) Hon'ble High Court Judgement in W.P.No.475 & 1455 of 2011 dt.24.1.2012.

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An extent of Ac.2.15582 sq.ft in T.S.No.83/1 of Waltair Ward was acquired by VUDA vide Award No.3/82 dt.20-2-1982 and the compensation of amount of Rs.7.83 lakhs was deposited in Civil Court u/s 30 & 31 (2) of L.A.Act as the land owners failed to prove their title over the land. The possession of the acquired land was handed over to VUDA on 3-12-1983 invoking the provisions of Section 47 of L.A.Act. Accordingly the said land acquisition attained finality under the law. But the landowners i.e. Sri S.S.Naidu and others have carried litigation taking advantages of loopholes in the administrative decisions which have now resulted in favourable orders to landowners vide Hon'ble High Court Judgement in W.P.No.475 & 1455 of 2011 dt.24-1-2012.

The acquired land Ac.2.15582 sq.ft in T.S.No.83/1 of Waltair Ward is located in centre of Visakhapatnam City and just behind the VUDA Complex which has commercial value to a tune of Rs.100 Crores. Keeping in view the importance of the property, the Govt. vide Letter No.10086/H2/2003 dt.5-5-2012 has permitted VUDA to file an Special Leave Petition in the Hon'ble Supreme Court of India against the Hon'ble High Court Judgement in W.P.No. 475 & 1455 of 2011. In this regard, action is being taken to file Special Leave Petition in the Supreme Court through the Advocate On Record(AOR) at Supreme Court, New Delhi. However, since the value of the property is above Rs. 100 crores, the opposite party would engage Senior Advocates in Supreme Court to defend their stand. Hence it is very important for VUDA to engage a Senior Counsel apart from Advocate On Record to represent the case properly, to safeguard the Rs.100 Crores worth property of VUDA.

The matter is placed before the Hon'ble VUDA Board for according sanction of engaging a Senior Counsel in the Hon'ble Supreme Court to defend the case properly to safe guard the 100 crores worth property of VUDA.

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## VUDA RESOLUTION NO. 84, DT. 08-05-2012

The Board discussed the matter and resolved to approve the subject.

  
CHAIRMAN