HC-KAR

NC: 2025:KHC-K:3264
WP No. 200715 of 2025

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 20TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.200715 OF 2025 (LA-RES)

BETWEEN:

1. SUBHASH S/O LAXMAN,
   AGED ABOUT 61 YEARS.
   OCC: AGRICULTURE,

2. JAYAVANTH S/O LAXMAN,
   AGED ABOUT 58 YEARS,
   OCC: AGRICULTURE,

   BOTH ARE R/O NIDAVANCHA VILLAGE,
   TQ. & DIST. BIDAR-585 401.

...PETITIONERS

Digitally signed by LUCYGRACE
Location: HIGH COURT OF KARNATAKA

(BY SMT. VEERANI V. NANDI, ADVOCATE)

AND:

1. THE SECRETARY TO
   GOVT. OF KARNATAKA,
   DEPARTMENT OF WATER RESOURSES,
   (MI), VIKAS SOUDHA,
   II FLOOR, ROOM NO.203,
   DR. AMBEDKAR VEEDHI,
   BENGALURU-560 001.

2. THE DEPUTY COMMISSIONER, BIDAR,
   D.C. OFFICE, BIDAR-585 401.

3. THE ASSISTANT COMMISSIONER,
SPECIAL LAND ACQUISITION OFFICER,
KARANJA PROJECT, BIDAR,
D.C. OFFICE, BIDAR-585 401.

4. THE CHIEF ENGINEER,
MINOR IRRIGATION DEPARTMENT,
BIDAR-585 410.

…RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.3 TO CONSIDER THE APPLICATION AS AT ANNEXURE-C AND DIRECT TO REFER THE MATTER TO THE APPROPRIATE AUTHORITY WITHIN SUCH STIPULATED TIME AS THIS HON'BLE COURT DEEMS FIT, IN THE CIRCUMSTANCES OF THE CASE AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.I.ARUN)

The case of the petitioners is that, their lands have been acquired by the State and the compensation determined has been accepted by them under protest. As they are not happy with the compensation awarded, they have made a request as contemplated under Section 64(1)

of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In spite of it, respondent No.3 has not referred the matter to appropriate authority. Hence, the instant writ petition is filed with the following players:

> *"01. Issue a Writ of Mandamus directing the Respondent No.3 to consider the Application as at Annexure-C and direct to refer the matter to the Appropriate authority within such stipulated time as this Hon'ble court deems fit, in the circumstances of the case.*
>
> *02. Pass any such Order's as this Hon'ble Court deems fit in the circumstances of the case."*

2. Learned Additional Government Advocate submits that in spite of several reminders, the respondents have not given him any instructions.

3. It is very unfortunate to note that the respondents have not cared to give necessary instructions to the learned Additional Government Advocate in spite of seeking necessary instructions. The records produced by

the petitioners reveal that the request of the petitioners to refer the matter to the appropriate authority to determine the compensation amount has not been considered by respondent No.3.

4. Hence, the following:

ORDER

i) Respondent No.3 is directed to refer the request of the petitioners made under Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the appropriate authority within a period of four weeks from the date of receipt of certified copy of this order.

ii) Writ petition stands disposed of accordingly.

Sd/-
(M.I.ARUN)
JUDGE

LG
List No.: 1 Sl No.: 63