IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF APRIL, 2025

PRESENT

THE HON'BLE MR JUSTICE K NATARAJAN

AND

THE HON'BLE MR JUSTICE VIJAYKUMAR A. PATIL

CIVIL CONTEMPT PETITION NO.200085 OF 2025

BETWEEN:

SRI SHIVAPUTRAPPA S/O GUNDAPPA,
AGED ABOUT 51 YEARS, OCC: AGRICULTURE,
R/O SITALGERA VILLAGE,
TQ. HUMNABAD DIST. BIDAR-585330.

...COMPLAINANT

(BY SRI R. J. BHUSARE, ADVOCATE)

AND:

Digitally signed by NIJAMUDDIN JAMKHANDI
Location: HIGH COURT OF KARNATAKA

1. SMT. SHILPA SHARMA, IAS
   THE DEPUTY COMMISSIONER, BIDAR
   DIST. BIDAR-585401.

2. SRI ARUN KUMAR KULKARNI,
   THE SPECIAL LAND ACQUISITION OFFICER,
   KARANJA PROJECT, BIDAR-585401.

3. SRI ABDUL KHUDDUS,
   THE EXECUTIVE ENGINEER,
   KARNATAKA NIRAVARI NIGAMA LTD,
   BIDAR-585401.

...ACCUSED

4. THE STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF IRRIGATION
VIDHAN SOUDHA, BANGALORE-01.

…PROFARMA PARTY

(BY SRI KRUPA SAGAR PATIL, ADVOCATE FOR R-3;
SRI SHIVAKUMAR TENGLI, AGA FOR R4;
NOTICE TO R-1 AND R-2 SERVED)

THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURT ACT, PRAYING TO TAKE COGNIZANCE OF CONTEMPT OF COURT COMMITTED BY THE ACCUSED FOR WILLFULLY DISOBEYING THE ORDER PASSED BY THE LEARNED SINGLE JUDGE OF THIS COURT IN W.P.NO.202588/2024 DATED 28.11.2024 VIDE ANNEXURE-E AND DEAL THEM IN ACCORDANCE WITH LAW.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE K NATARAJAN
AND
HON'BLE MR JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

(PER: HON'BLE MR JUSTICE VIJAYKUMAR A. PATIL)

This petition is filed alleging willful disobedience of the order of the learned Single Judge dated 28.11.2024 passed in W.P.No.202588/2024. The operative portion of the order reads as under:

> *"3. In pursuance of the aforesaid order, a survey was conducted and the Survey Report has been*

produced by the learned High Court Government Pleader with covering letter dated 10.10.2024. In view of the aforesaid facts and circumstances, the writ petition stands disposed of directing the concerned respondents to consider the representation dated 05.08.2024 produced at Annexure-C within a period of six weeks from today, bearing in mind the Survey Report of the ADLR, Humnabad, submitted to this Court."

2. The respondents filed counter affidavit of one Sri Arunkumar Kulkarni, Special Land Acquisition Officer, Karanja Project, Bidar. Para-2 of the affidavit reads as under:

"02. I state that, the Hon'ble Court was pleased to dispose of the Writ Petition directing the Respondent to consider the representation of the complainant dated 05.08.2024 as per Annexure-C to the Writ Petition within six weeks from the date of the order.

I state that, the office of the Special Land Acquisition Officer, Karanja Project, received the copy of the Order passed by the Hon'ble Court in Writ Petition along with the application on the complainant on 12.12.2024, thereafter J.M.C was conducted and the proposal for 19(1) was prepared and same was forwarded to the office of Special Deputy Commissioner, (Land Acquisition,

Rehabilitation and Resettlement), Major Irrigation Project, Belagavi. It is true that one year period from the date of issuance of 11(1) Notification comes to an end on 16.05.2025 and already the proposal for issuance/Gazette under Sec.19(1) Notification was forwarded to the higher authorities. I undertake to follow the same and 19(1) Notification will be gazetted before 16.05.2025."

3. In view of the aforesaid specific undertaking of the respondents, we are of the considered view that there is substantial compliance of the order of the learned Single Judge. Hence, the contempt proceedings are dropped. It is needless to observe that if the authority fails to adhere to the undertaking, it is open for the petitioner to take appropriate remedy available in law.

Sd/-
(K NATARAJAN)
JUDGE

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

SWK
List No.: 1 Sl No.: 14
CT:SI