IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 20TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 201689 OF 2022 (LA-RES)

BETWEEN:

1. NINGANNA
   S/O BHEEMARAYA,
   AGE: 62 YEARS,OCC: AGRICULTURE,
   R/O: GHOLANOOR, TQ: AFZALPUR,
   DIST: KALABURAGI – 585 107.

2. SMT. JYOTHI
   W/O LATE RAJASHEKHAR KINAGI,
   AGE: 40 YEARS,OCC: AGRICULTURE,
   R/O: GHOLANOOR,TQ: AFZALPUR,
   DIST: KALABURAGI – 585 107.

3. MONAPPA
   S/O DEVINDRAPPA SUTAR,
   AGE: 44 YEARS,OCC: AGRICULTURE,
   R/O: GHOLANOOR, TQ: AFZALPUR,
   DIST: KALABURAGI – 585 107.

4. YELLALING
   S/O IRAPPA TALAWAR,
   AGE: 46 YEARS,OCC: AGRICULTURE,
   R/O: GHOLANOOR, TQ: AFZALPUR,
   DIST: KALABURAGI – 585 107.

...PETITIONERS

(BY SRI ASHOK MULAGE, ADVOCATE)

AND:

Digitally signed by BASALINGAPPA SHIVARAJ DHUTTARGAON
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
   DEPARTMENT OF MINOR IRRIGATION AND
   GROUND WATER DEVELOPMENT,
   THROUGH ITS SECRETARY,
   VIDHAN SOUDHA, BENGALURU – 01.

2. DEPUTY COMMISSIONER,KALABURAGI – 585 103.

3. SPECIAL LAND ACQUISITION OFFICER,
   MI AND GWD SUB-DIV,KALABURAGI – 585 103.

4. EXECUTIVE ENGINEER
   MI AND GWD SUB-DIV. KALABURAGI – 585 103.

5. ASST. EXECUTIE ENGINEER
   MI AND GWD SUB-DIV. AFZALPUR – 585 107.

6. M/S KKB ENGINEERS AND
   CONSTRUCTION PVT. LTD.,KALABURAGI – 585 107
   THROUGH ITS MANAGING DIRECTOR.

7. DEVINDRA GOUD GOUDAGERA
   CLASS-I CONTRACTOR,R/O: AFZALPUR – 585 107.

8. PSI AFZALPUR
   POLICE STATION, TQ. AFZALPUR,
   DIST: KALABURAGI – 585 107.

…RESPONDENTS

(BY SMT. ARCHANA P. TIWARI, A.A.G., A/W.
SRI SHESHADRI JAISHANKAR, A.G.A. FOR R1 TO R5 & R8;
V/O DATED 14.02.2023 THE W.P AGAINST – R7
IS DISMISSED AS NOT PRESSED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE A WRIT IN A NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING THE RESPONDENTS TO CONSIDER THE PETITIONERS REPRESENTATIONS DATED 23.03.2022 AND 22.03.2022 UNDER ANNEXURE- E,E1 AND E2 AND COMPENSATE THE PETITIONERS BY FOLLOWING THE PROCEDURE

CONTEMPLATED UNDER THE RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT- 2013, IN THE INTEREST OF JUSTICE AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

This petition is filed seeking writ of mandamus to direct the respondents to consider the representations dated 21.03.2022 marked at Annexures - E1 and E2 and to compensate the petitioner by following the procedure under the Right to Fair Compensation, Transperancy in Land Acquisition, Rehabilitation and Resettlement Act-2013.

2. This Court granted interim order staying further consideration.

3. Learned Additional Advocate General would submit that the compensation is determined by following necessary procedure and compensation amount is already deposited before the Special Land Acquisition Officer and documents are annexed

to the memo dated 19.03.2025 filed before this Court to substantiate the contention.

4. Learned counsel for the petitioner submits that in case the amount is deposited, petitioner shall accept the amount without prejudice to his contention to seek enhancement.

5. Submission is placed on record.

6. Memo dated 19.03.2025 is taken on record.

7. The writ petition is disposed of having become infructuous.

8. In case, the petitioner is aggrieved by the award, petitioner is granted liberty to take such measures as advised in law.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

BRN
List No.: 2 Sl No.: 22