

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD

DATED THIS THE 31ST DAY OF OCTOBER, 2012

BEFORE

THE HON'BLE MR.JUSTICE RAM MOHAN REDDY

WRIT PETITION No.60986/2012 (LA-RES)

BETWEEN:

Smt. Rekha, W/o Arun Suryavanshi,
Age: 45 years, Occ: Housewife,
R/o H.No.105/2, Near Chidambar
Seva Samiti, Madihal, Dharwad.

Petitioner

(By Sri V.P.Kulkarni, Adv.)

AND:

Special Land Acquisition Officer,
Bagalkot Town Development Authority,
Bagalkot.

Respondent

(By Smt.K. Vidyavathi, A.G.A.)

This writ petition is filed under Articles 226 and 227 of the Constitution of India, praying to quash the endorsement issued by the Special Land Acquisition Officer, Bagalkot dated Nil vide Annexure-C, so far as it relates to deduction of Income Tax of Rs.83,067/- and direct the respondent herein to refund the said amount.

THIS WRIT PETITION COMING ON FOR PRELIMINARY
HEARING THIS DAY THE COURT MADE THE FOLLOWING:

ORDER

Learned Addl. Government Advocate submits that in identical matters W.P.Nos.66250-254/2012, the learned Single Judge by Order dated 02.04.2012 following the earlier decision of this Court set-aside the demand and recovery of 10% of the compensation as income tax.

2. In that view of the matter, this petition is allowed. Endorsement dated nil, Annexure-C of the Special Land Acquisition Officer in so far as it relates to deduction of income tax of Rs.83,067/- representing 10% of the compensation amount is quashed. Respondent is directed to make over that payment to the petitioner forthwith.

SD/-
JUDGE

mkc