

**IN THE HIGH COURT OF KARNATAKA  
DHARWAD BENCH**

**DATED THIS THE 30<sup>TH</sup> DAY OF NOVEMBER, 2017**

BEFORE

**THE HON'BLE DR.JUSTICE H.B.PRABHAKARA SASTRY**

**MISCELLANEOUS FIRST APPEAL NO.102153/2014 (LAC)**

**BETWEEN:**

KARNATAKA NEERAVARI NIGAM LTD.,  
REPRESENTED BY ITS EXECUTIVE ENGINEER  
HBC DIV., ATHANI  
DIST: BELGAUM.

... APPELLANT

(BY SRI.RAMESH N. MISALE, ADV.)

**AND:**

1. THE SPECIAL LAND ACQUISITION OFFICER  
HIPPARAGI BARRAGE PROJECT  
ATHANI.

2. SRI.GURUNATH SHIDDU BHOSALE  
AGE: MAJOR, OCC: AGRICULTURE  
R/O. RADDERHATTI  
TAL: ATHANI, DIST: BELGAUM.

... RESPONDENTS

(BY SRI. R.RAVINDRA NAIK, HCGP FOR R1;  
SRI. K.H.BAGI, ADV. FOR R2)

THIS MFA IS FILED U/S 54(1) OF LAND ACQUISITION ACT, PRAYING TO SET ASIDE THE JUDGMENT AND AWARD DATED: 02.12.2013 PASSED IN LAC.NO.298/2012 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE, ATHANI, LIMITING THE ENHANCEMENT OF MARKET VALUE OF THE ACQUIRED LAND TO ₹2,32,500/- PER ACRE INSTEAD OF ₹4,39,110/-.

: 2 :

THIS APPEAL COMING ON FOR ADMISSION THIS DAY,  
THE COURT DELIVERED THE FOLLOWING:

**ORDER**

Learned HCGP undertakes to file vakalath/memo of appearance for the respondent No.1 in the Registry within two weeks from today.

Learned counsel for the appellant files a memo seeking disposal of the appeal as withdrawn. In the memo they have shown the reason that they have decided to honor the award of the Reference Court under appeal.

Learned HCGP for respondent No.1 and learned counsel for respondent No.2, submits their no objection to consider the memo and to dismiss the appeal as withdrawn.

The memo is taken on record.

In view of the memo and the supporting submissions, the appeal stands dismissed as withdrawn.

: 3 :

However, refund of the eligible Court fee, if any, to the appellant would be in accordance with law.

In view of the disposal of the main appeal, I.A.No.2/2014 is consigned to file.

**Sd/-  
JUDGE**

gab