



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

DATED THIS THE 29TH DAY OF FEBRUARY, 2024

BEFORE

THE HON'BLE JUSTICE M.G.UMA

WRIT PETITION NO. 108286 OF 2014 (LA-RES)

BETWEEN:

1. SMT.BASAVVA W/O PADADAYYA MATH
AGED ABOUT 70 YEARS.
2. SRI BASAYYA S/O. VEERABHADRAYYA MATH
AGED ABOUT 40 YEARS.

ALL AT CHIKKAHOLDUR,
TQ: BILAGI DIST: BAGALKOT.

...PETITIONERS

(BY SRI BASAVARAJ GODACHI, ADV. (ABSENT)

AND:

1. THE ADDL. SPECIAL LAND ACQUISITION OFFICER
U.K.P., BAGALKOT, DIST: BAGALKOT.
2. THE COMMISSIONER FOR
UPPER KRISHNA PROJECT,
NAVANAGAR, BAGALKOTE,
DISTRICT: BAGALKOTE.
3. THE GENERAL MANAGER
REHABILITATION AND CONSTRUCTION
UPPER KRISHNA PROJECT, NAVANAGAR, BAGALKOTE,
DISTRICT: BAGALKOTE.

...RESPONDENTS

(NOTICE TO RESPONDENT NOS.1 TO 3 : SERVED)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA PRAYING THIS COURT TO QUASH THE ENDORSEMENT ISSUED BY THE RESPONDENT THE ADDL.SPECIAL LAND ACQUISITION OFFICER, UPPER KRISHNA PROJECT, BAGALKOT, DATED 28.04.2014 BARING NO.HEVIBHUSWA/NYAPRA: W.P.NO. 83687-83688-83689-83690/2012/162 (ANNEXURE-K) AS



ARBITRARY, UN-REASONABLE AND OPPOSED TO LAW AND DIRECT THE RESPONDENTS TO PAY THE COMPENSATION IN RESPECT OF PHOT KHARAB (A) LAND OF THE PETITIONERS MEASURING SY.NO.176/1 AND 176/2 MEASURING 1 ACRE 30 GUNTAS AND 4 ACRES 00 GUNTAS RESPECTIVELY SITUATED AT CHIKKAHOLDUR VILLAGE OF BAGALKOT TALUKA BAGALKOT DISTRICT AND SUCH OTHER RELEIFS.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Learned counsel is absent. No representation.

2. The order sheet dated 28.02.2024 reads as under:

"Proxy counsel for the petitioners prays for time.

The order sheet dated 26.02.2024 reads as under:

"Learned AGA submits that the petitioners is claiming compensation for the karab(a) land, which was never granted in favour of petitioner prior to acquisition. Hence, the writ petition is not maintainable.

However, learned counsel for the petitioner is absent. No representation.

Finally, as a last chance, list this matter on 28.02.2024."

However, to afford an opportunity, as a last chance, list this matter on 29.02.2024."



3. In spite of that, there is no representation, even when the matter was passed over twice and again called at 4.00 p.m. This writ petition is of the year 2014. I do not find any reason to adjourn the matter. Accordingly the writ petition is dismissed i.e, for non prosecution.

SD/-
JUDGE

EM/CT: ASC
List No.: 1 SI No.: 18