



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 30TH DAY OF OCTOBER, 2024

PRESENT

THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

MISCELLANEOUS FIRST APPEAL NO. 102893 OF 2023 (LAC)

BETWEEN:

THE EXECUTIVE ENGINEER
KARNATAKA NEERAVARI NIGAM LTD.,
GRBCC, HIDKL DAM, DIV NO 2, HIDKAL -591107,
TQ HUKKERI, DIST BELAGAVI.

...APPELLANT

(BY SRI. M.B. KANAVI, ADVOCATE)

AND:

1. SHRI NARAYAN RAMLING GURAV
AGE: MAJOR, OCC: AGRICULTURIST,
R/O KINAYE VILLAGE,
TQ AND DIST BELAGAVI-590018.
2. THE SPECIAL LAND ACQUISITION
HIDKAL DAM, DIVISION NO.2,
TQ HUKKERI, DIST BELAGAVI-591107.
3. THE PRINCIPAL SECRETARY
GOVT. OF KARNATAKA,
REVENUE DEPARTMENT,
M.S.BUILDING, BENGALURU-560001.

...RESPONDENTS

(BY SRI. PRAVEEN K. UPPAR, AGA FOR R2 AND R3)

THIS MFA IS FILED U/SEC.74 (1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST JUDGMENT AND AWARD DATED 25.04.2019 PASSED IN LAC NO.995/2017 ON THE FILE OF THE I ADDITIONAL DISTRICT JUDGE, BELAGAVI, AWARDED COMPENSATION OF RS.5,40,000/- PER ACRE.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD
AND
THE HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD)

Learned AGA accepts notice for respondent Nos.2 and 3.

2. This appeal is filed by the beneficiary of acquisition under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the Act', for short) challenging the judgment and award dated 25.04.2019 and 27.04.2019 respectively passed in L.A.C. No.995/2017 by the learned I Addl. District and Sessions Judge, Belagavi, whereby the Reference Court fixed market value of the acquired land at the rate of Rs.5,40,000/- per acre.

3. There is a delay of 737 days in filing the appeal, which is beyond the statutory permissible limit under the provisions of the Act.

4. In view of the judgment of co-ordinate Bench of this Court in M.F.A. No.102543/2022, disposed off on 23.09.2024, the present appeal is not maintainable.



5. Accordingly, this appeal is ***dismissed*** in terms of judgment of this Court in M.F.A. No.102543/2022, dated 23.09.2024.

Sd/-
(H.T.NARENDRA PRASAD)
JUDGE

Sd/-
(VENKATESH NAIK T)
JUDGE

RSH
CT-MCK
List No.: 3 Sl No.: 8