



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF NOVEMBER, 2025
PRESENT
THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.
CIVIL CONTEMPT PETITION NO. 100338 OF 2025

BETWEEN:

VIRUPAXAPPA S/O. VIRUPAXAPPA
AGE: 61 YEARS, OCC: AGRICULTURE,
R/O. GUNJALI ONI, GANGAVATHI,
DIST. KOPPAL-583227.

...COMPLAINANT

(BY SRI SANJAY CHANAL, ADVOCATE.)

AND:

1. SRI C. SATHYNARAYAN
THE SECRETARY,
PUBLIC PORT AND INLAND WATER,
TRANSPORTATION DEPARTMENT,
ROOM NO.334, 3RD FLOOR,
VIKAS SOUDHA, BENGALURU-560001.

2. SRI SURESH B. ITNAL I.A.S
DEPUTY COMMISSIONER, KOPPAL-583231.

3. THE STATE OF KARNATAKA
R/BY THE PRINCIPAL SECRETARY
PUBLIC, PORT AND INLAND WATER
TRANSPORTATION DEPARTMENT,
VIKAS SOUDHA, BENGALURU-560001.

...ACCUSED

(BY SRI GANGADHAR J.M. ADDITIONAL ADVOCATE GENERAL
FOR SRI SHARAD V. MAGADUM, ADDITIONAL GOVERNMENT
ADVOCATE.)



THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT READ WITH ARTICLE 215 OF CONSTITUTION OF INDIA, PRAYING TO PUNISH THE ACCUSED FOR DISOBEYING THE ORDER DATED 08/11/2024 PASSED BY THE HON'BLE HIGH COURT IN W.P.NO.106118/2024 (GM-RES) VIDE ANNEXURE-A, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR HEARING BEFORE CHARGE THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

Dr.Suresh B. Itnal, Deputy Commissioner, Bagalkote,
is present before the Court.

2. Learned counsel Sri Sanjay Chanal, for the complainant and learned Additional Advocate General Sri Gangadhar J.M., along with Additional Government Advocate Sri Sharad V. Magadum, for accused Nos.1 to 3 are present.



3. This contempt petition is filed under sections 11 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, alleging willful disobedience of the order dated 08.11.2024, in W.P.No.106118/2024 (GM-RES), wherein this Court passed the following order:

- "i) *The petition is allowed.*
- ii) *A writ of mandamus is issued directing the respondent No.1 to consider the representation of the petitioner dated 24.8.2023, as per Annexure B and B1 and pass suitable orders in accordance with law, within an outer limit of four weeks from the date of receipt of a copy of this order."*

4. As this Court prima facie found that there was non compliance of the order passed by this Court, by order dated 18.11.2025, posted the contempt petition to hear before charge.



5. Subsequently, affidavit dated 21.11.2025 of Dr.Suresh S/o.Balachandra Itnal, Deputy Commissioner, Koppal District, is filed enclosing Annexures-A to I documents. Annexure-I dated 21.11.2025 would indicate issuance of notification under section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

6. This Court, by order dated 08.11.2024 in W.P.No.106118/2024, directed the respondent therein to consider the representation of the petitioner dated 24.08.2023 and pass suitable orders in accordance with law.

7. It is stated that in the above said representation, the petitioner had sought for initiation of proceedings for acquisition of land to an extent of 11 guntas, which was utilized for formation of road, in the year 2005.

8. Since notification under Section 11(1) of the 2013 Act is issued, we are of the considered opinion that



the proceedings for acquisition has been initiated. However, learned counsel for the complainant would submit that the award is yet to be passed. Award is consequential, which the accused shall have to pass by following the procedure contemplated under the provisions of the 2013 Act.

9. In view of the above, we are of the considered opinion that there is substantial compliance of the order passed by this Court. However, if the award is not passed within the time frame, it is open for the petitioner/complainant to revive the contempt petition.

10. However, learned Additional Advocate General Sri Gangadhar J.M., would submit that the authority requires six months time from today to pass the award.

11. In the light of the above, if the accused fails to pass award within six months, it is open for the complainant to file application for revival of the contempt petition.



12. With the above, the present contempt proceedings are dropped.

13. In view of disposal of the petition, pending interlocutory applications, if any, stand disposed of as they do not survive for consideration.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**

MRK
CT-CMU
LIST NO.: 1 SL NO.: 54