

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 17TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

MISCELLANEOUS FIRST APPEAL NO.102517 OF 2016 (LAC)

BETWEEN:

KARNATAKA NEERAVARI NIGAM LTD.,
REPRESENTED BY ITS EXECUTIVE ENGINEER,
HBC DIVISION, ATHANI, DIST: BELAGAVI.

...APPELLANT

(BY SRI. K.S. PATIL, ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER,
HIPPARGI PROJECT, ATHANI.
2. (SRI. ANAND SIDARAI HALLADMAL DIED HIS L.RS.
SMT. GANGAVVA W/O ANAND HALADMAL.
- 2.A SMT. VERASHA W/O PRASHANT MALI,
AGE: 32 YEARS, OCC: HOUSEHOLD WORK,
R/O UPPARI-416 103, TAL: SHIROL,
DIST: KOLHAPUR, MAHARASHTRA.
- 2.B MS. RUPA D/O ANAND HALADMAL,
AGE: 28 YEARS, OCC: STUDENT,
R/O ATHANI-591304, DIST: BELAGAVI.
- 2.C SRI. MAHESH S/O ANAND HALLADMAL,
AGE: 26 YEARS, OCC: STUDENT,
R/O SHIVAYOGI NAGAR,
ATHANI-591304, DIST: BELAGAVI.

...RESPONDENTS

(BY SRI. ABHISHEK MALIPATIL, HCGP FOR R1;
R2(A)-DISPENSED WITH;
R2(B) AND R2(C)-SERVED)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 54(1) OF THE LAND ACQUISITION ACT, PRAYING TO ALLOW THE APPEAL AND SET ASIDE THE JUDGMENT AND AWARD PASSED BY THE LEARNED PRL. SR. CIVIL JUDGE COURT ATHANI IN LAC NO.51/2012 DATED 12.02.2015 BY LIMITING THE ENHANCEMENT OF MARKET VALUE OF THE ACQUIRED LAND TO RS.3,00,000/- PER ACRE INSTEAD IF RS.5,00,000/- & ETC.

THIS MFA HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 05.02.2026 AND COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE DR. JUSTICE K.MANMADHA RAO

CAV JUDGMENT

1. This appeal is filed under Section 54(1) of the Land Acquisition Act, against the judgment and award dated 12.02.2015, passed by the Principal Senior Civil Judge, Athani ('the Reference Court' for short) in LAC No.51/2012, whereby the Reference Court has awarded the compensation fixing the market value of the acquired land at Rs.5,00,000/- per acre.

2. The 1st Respondent-SLAO acquired the land bearing Sy.No.642, measuring 00 Acre 38 Guntas & Sy.No.643/4B, measuring 01 Acre 13 Guntas totally measuring 02 Acres 11 Guntas of Athani, for the purpose of construction of a canal under the Hippargi Barrage Project. The claimants were the owners of the said lands. Preliminary notification under Section 4(1) of the Land Acquisition Act, 1894 ('the Act' for short) was issued on 06.03.2008. The Special Land Acquisition Officer (SLAO) passed an award on 04.12.2010, fixing the compensation at Rs.1,22,891/- per acre along with statutory benefits. On a reference application filed under Section 18(1) of the Act, the

Reference Court enhanced the compensation, determining the market value of the acquired land at Rs.5,00,000/- per acre. Being aggrieved, the appellant-beneficiary is in appeal.

3. Learned counsel appearing for the appellant contends that the Reference Court erred in enhancing the compensation. It is submitted that the acquired lands are irrigated agricultural lands, situated at a distance of more than 5 KM from the village and main road, and there is no evidence of N.A. potentiality or commercial use.

4. In support of the above position, learned counsel placed reliance on the Coordinate Bench Judgment in **MFA 100035/2016** of this Court, where the appeal by **Karnataka Neeravari Nigam Ltd. v. The Special Land Acquisition Officer** was allowed, fixing the market value of irrigated lands at Rs.3,69,000/- per acre for notifications of 2005-06, with statutory benefits and escalation for subsequent notifications. Applying escalation at 5% per annum to the date of notification of the present lands (06.03.2008), the fair and reasonable market value works out to **Rs.4,24,350/- per acre**, with statutory benefits.

5. The reference by the appellant to the Coordinate Bench judgment in **MFA 100035/2016** is not disputed by the learned High Court Government Pleader for the respondents. Respondents were duly served but did not appear.

6. Heard learned counsel for the appellant and perused the records.

7. Having regard to the Coordinate Bench judgment in **MFA 100035/2016** and the nature, location, and evidentiary matrix of the lands in question, the ends of justice would be met if the market value of the land acquired in the present appeal is fixed at the same enhanced rate as fixed in the Coordinate Bench judgment, with statutory benefits.

8. Hence, this Court proceeds to pass the following:

ORDER

- i. The appeal is **partly allowed**.
- ii. The judgment and award passed by the Reference Court in LAC No.51/2012, dated 12.11.2014, is **modified**.
- iii. The market value of the acquired lands in the appeal is fixed at the rate of **Rs.4,24,350/- per acre**.

- iv. The claimants are entitled to compensation at **Rs.4,24,350/-** (Rupees four lakh twenty-four thousand three hundred and fifty only) per acre with statutory benefits, interest, and costs, instead of Rs.5,00,000/- per acre awarded by the Reference Court.
- v. Registry is directed to draw award accordingly.
- vi. All pending I.As. are disposed of.

Sd/-
(DR. K.MANMADHA RAO)
JUDGE

KGK
CT:VP