



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 8299 OF 2026 (LA-RES)

BETWEEN:

L. MANJUNATH
S/O LAKAPPA,
AGED 62 YEARS,
R/O MAIN ROAD, HARIGE,
SHIVAMOGGA-577 201,
SHIVAMOGGA DISTRICT.

...PETITIONER

(BY SRI. KRISHNAPPA N.R., DVOCATE)

AND:

THE SPECIAL LAND ACQUISITION OFFICER,
NATIONAL HIGHWAY AUTHORITY OF INDIA,
NH 206, SHIVAMOGGA DIVISION,
2ND FLOOR, CENTRAL AVENUE,
NEAR SBI BANK, N. T. ROAD,
SHIVAMOGGA CITY - 577 202.

...RESPONDENT

(BY SMT. SHILPA SHAH, CGC)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF MANDAMUS DIRECTING THE RESPONDENT, TO RELEASE THE AWARD AMOUNT OF RS.53,16,610/- WITH 15 PERCENT INTEREST FROM THE DATE OF AWARD NOTICE DATED 25.05.2020, COPY OF THE SAME IS PRODUCED AT ANNEXURE - B, IN THE INTEREST OF JUSTICE.



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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has sought for issuance of writ of mandamus directing the respondent to release award amount of Rs.53,16,610/- with 15% interest from the date of award notice.

2. Learned counsel, Smt. Shilpa Shah appearing for the respondent files a memo. The memo reads as hereunder:

"The under signed Counsel for the Respondent/SLAO Shimoga humbly submits as follows:

- 1. The top noted Petition seeking a Writ of mandamus directing the Respondent to release a sum of Rs.53,16,610/- with interest @ 15% from 25th May 2020 for having acquired the lands to an extent of 155.50 Sq. Mtrs. in Sy.No.128 (Block No.10) Khata No.501-20/2 &*



502-20/3 situated at Harige Village, Shimoga Taluk, Shimoga District and other relief/s.

- 2. In this regard, it is submitted that as the compensation amount is not disbursed, the possession of the lands of the petitioner acquired in Harige Village have not been taken and the lands have not been utilised for road work. The possession of the lands still remains with the land owners.*
- 3. Since the lands on the stretch of Kms.210 to Kms.215.36 were acquired for Shimoga Bypass, which involved shifting major basic utilities and also passing through highly developed area within city limits, the same required huge displacement of public dwellings too.*
- 4. The Deputy Commissioner Shimoga requested NHAI to study the viability of alternate alignment in the best of interest of public since the DC had received several representations from general public against the implementation of the Project as per the alignment as proposed. Infact landowners whose land would be removed from acquisition, if proposal for descopeing is approved, were duly consulted and 89% of them given their opinion in favour*



of descoping of the concerned stretch. Hence NHAI at the instance of the DC and the State Government took up the issue with the Ministry of Road Transport & Highways for descoping the aforesaid stretch of lands.

5. *In view of the same, the Ministry of Road Transport & Highways has taken a decision to descope the stretch of Kms.210 to Kms.215.36 of NH-206 of Shimoga Bypass and approved alternative alignment. Consequently, the release of compensation to the petitioner does not arise. The Office Memorandum dated 31st July 2025 which has reference to the Minutes of Meeting held on 26th June 2025 wherein the Alignment approval for descoping the aforesaid stretch was discussed and decided along with relevant Agenda item is produced as DOCUMENT No.1 along with the present Memo.*

WHEREFORE, it is humbly prayed that the Memo may be taken on record and the top noted Petition may be disposed of to meet the ends of justice."

3. In light of the stand of the respondent that they do not require the land and they are giving up the land acquisition proceedings, taking note of the memo and the



submission made, the petition is disposed of recording the stand of the respondent that they do not require the land and are giving up the land acquisition proceedings.

4. Needless to state, in light of the said stand, it could be construed that the proceedings have been abandoned and petitioner is now entitled to enjoy the property as was prior to the acquisition proceedings.

Accordingly, petition is ***disposed of***.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

MCR