



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 8989 OF 2026 (LA-RES)

BETWEEN:

SRI R ANANTHAKUMAR
S/O D.H. RATHNAIAH SETTY,
AGED ABOUT 62 YEARS,
R/A NO.78, MARUTHI NILAYA,
VALLABHAI PATEL ROAD,
HIRIYUR,
CHITRADURGA DISTRICT 577 598.

...PETITIONER

(BY SRI. VIRUPAKSHAIAH P.H, ADVOCATE)

AND:

1. THE NATIONAL HIGHWAY AUTHORITY
(MINISTRY OF ROAD TRANSPORT AND HIGHWAYS)
DWARAKA, NEW DELHI 110 075.
2. THE COMPETENT AUTHORITY (LA) CUM SPECIAL
LAND ACQUISITION OFFICER,
NATIONAL HIGHWAYS-NH-4 (NOW NH-48)
KSRTC DEPOT ROAD, CHITRADURGA - 577 501.
3. THE PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA, NH-4,
CHITRADURGA 577 501.

...RESPONDENTS

(BY SRI. SHILPA SHAH, ADVOCATE)



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO: (A) DECLARE THAT THE PETITIONER IS ENTITLED FOR THE BENEFITS OF SOLATIUM AND INTEREST ON THE COMPENSATION AMOUNT UNDER SECTION 23 (2) AND PROVISIO TO SECTION 28 OF THE LAND ACQUISITION ACT, 1894 IN TERMS OF THE JUDGMENT DATED 4.2.2025 PASSED IN MISC. APPLICATION BEARING MA NO. 1773/2021 IN CIVIL APPEAL NO. 7064/2019 PASSED BY THE HON-BLE SUPREME COURT OF INDIA AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a declaration that he is entitled to solatium and interest on the composition amount under Section 23(2) and proviso to Section 28 of the Land Acquisition Act, 1894 (henceforth referred to as 'the Act, 1894'), in terms of the judgment dated 04.02.2025 passed in Miscellaneous Application No.1773/2021 in Civil Appeal No.7064/2019. He has sought for a writ in the nature of mandamus to direct the respondent No.2 to consider his representation dated 09.02.2026 for the grant of solatium and



interest on the compensation in respect of 28314 square feet in Sy.No.204/1B, Metikurki Village, Kasaba Hobli, Hiriya Taluk, Chitradurga District.

2. (i) The petitioner claims that he is the owner of the aforesaid property, which was notified for acquisition for the benefit of the respondent No.1 and an award was passed. The petitioner not satisfied with the award filed a petition under Section 3G(5) of the National Highways Act, 1956 (henceforth referred to as 'the NH Act, 1956') before the Deputy Commissioner. The arbitrator passed an award enhancing the compensation and awarded interest at the rate of 9% per annum. The said award was challenged in Arbitration Suit No.14/2017 before the Principal District and Sessions Judge, Chitradurga under Section 34(2) of the Arbitration and Conciliation Act, 1996 (henceforth referred to as 'the Act, 1996').

(ii) The District Court passed an order dated 14.11.2018 dismissing the appeal filed by the respondent No.3 holding that the petitioner is entitled to compensation in terms of the award dated 25.07.2017 passed by the Arbitrator and



Deputy Commissioner. The petitioner contends that the Hon'ble Apex Court in the case of ***Union of India and Another Vs. Tarsem Singh and Others - (2019) 9 SCC 304***, had held that the provisions of the Land Acquisition Act, 1894, relating to solatium payable under Section 23(2) of the Act, 1894 and interest under Section 28 of the Act, 1894 are applicable to an acquisition under the NH Act, 1956.

(iii) The respondent No.1 then filed Miscellaneous Application No.1773/2021 in Civil Appeal No.7064/2019 seeking clarification of the judgment passed in ***Tarsem Singh's*** case *referred supra* and to apply the said judgment prospectively. The Hon'ble Apex Court in terms of the order dated 04.02.2025, rejected the application and directed the respondent No.1 to calculate the amount of solatium and interest in accordance with the directions issued in ***Tarsem Singh's*** case *referred supra*. The petitioner contends that he is entitled for solatium and interest as held in ***Tarsem Singh's*** case and clarified by the Apex Court in Miscellaneous Application No.1773/2021 in Civil Appeal No.7064/2019.



3. The learned counsel for the petitioner contends that in similar circumstances, a Co-ordinate Bench of this Court in W.P.No.21812/2022 had allowed the Writ Petition by an order dated 19.11.2025 and directed the respondent authorities to compute the amount of solatium and interest under Sections 23(2) and 28 of the Act, 1894, in terms of the order passed by the Hon'ble Apex Court. He contends that following the above, the petitioner had given a representation dated 09.02.2025 for determination and release of the solatium and interest as per the judgment of the Supreme Court *referred supra*. However, the said representation is not considered and therefore, the petitioner is before this Court seeking the reliefs mentioned above.

4. The learned counsel for the petitioner reiterated the above submissions and submitted that the petitioner is entitled to solatium and interest as per the judgment of the Supreme Court *referred supra* and therefore prays that the suitable direction be issued to the respondents to grant solatium and interest.



5. The Writ Petition is opposed by the respondents, who filed an elaborate statement of objections. It is stated *inter alia* that the judgment of the Hon'ble Apex Court in Miscellaneous Application No.1773/2021 was sought to be reviewed in Review Petition (Civil) No.2528/2025, which was disposed of on 25.03.2026. Therefore, it is contended that the entitlement, if any, of the petitioner for solatium and interest shall be in line with the judgment of the Hon'ble Apex Court in the Review Petitions *referred supra*.

6. The learned counsel for the respondents reiterated the above submissions and submitted that the direction could be issued to the respondent No.2 to consider the representation of the petitioner in the light of the judgment passed by the Hon'ble Apex Court in the Review Petition (Civil) No.2528/2025.

7. In view of the aforesaid submission, the writ petition is ***disposed of***, directing the respondent No.2 to consider the representation of the petitioner more particularly in the light of the judgment of the Hon'ble Apex Court in the Review Petition (Civil) No.2528/2025, in Miscellaneous Application No.1773/2021 and in Civil Appeal No.7064/2019.



**NC: 2026:KHC:34185
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The same shall be considered within a period of two months
from the date of receipt of a copy of this order.

**Sd/-
(R. NATARAJ)
JUDGE**

HJ
List No.: 1 Sl No.: 28