



CNR: KAHC010259682015

NC: 2026:KHC:54234
MFA No. 3142 of 2015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3142 OF 2015 (LAC)

BETWEEN:

MANJEGOWDA S/O THIMMARAYIGOWDA @ MARAPPA
SINCE DEAD BY LRS.

1. THANGYAMMA
W/O. LATE MANJE GOWDA
AGED ABOUT 71 YEARS
ECHALAHALLI VILLAGE
KANDLI POST
KASABA HOBLI
HASSAN TALUK AND DISTRICT
2. RANGAMMA
W/O. LATE MANJE GOWDA
AGED ABOUT 60 YEARS
ECHALAHALLI VILLAGE
KANDLI POST, KASABA HOBLI
HASSAN TALUK AND DISTRICT
3. RUKMINI
W/O. DHARMARAJ
D/O. LATE MANJE GOWDA
AGED ABOUT 49 YEARS
DODDAKANAGALU VILLAGE
KASABA HOBLI, ALUR TALUK
HASSAN DISTRICT

Digitally
signed by
VINUTHA M
Location:
HIGH
COURT OF
KARNATAKA



NC: 2026:KHC:54234
MFA No. 3142 of 2015

CNR: KAHC010259682015

4. SUSHEELA
W/O. CHANDRASHEKAR
D/O. LATE MANJE GOWDA
AGED ABOUT 48 YEARS
DUNDANAYAKANAHALLI VILLAGE
KATTAYA HOBLI
HASSAN TALUK AND DISTRICT
5. E.M. LAKSHMANNA
S/O. LATE MANJE GOWDA
AGED ABOUT 41 YEARS
ECHALAHALLI VILLAGE
KANDLI POST, KASABA HOBLI
HASSAN TALUK AND DISTRICT
6. ERE GOWDA
S/O. LATE MANJE GOWDA
AGED ABOUT 40 YEARS
ECHALAHALLI VILLAGE
KANDLI POST, KASABA HOBLI
HASSAN TALUK AND DISTRICT
7. MAMATHA
W/O. RAMESH
D/O. LATE MANJE GOWDA
AGED ABOUT 38 YEAR
MARKULI VILLAGE
SHANTHIGRAMA HOBLI
HASSAN TALUK AND DISTRICT
8. NAGAMANI
W/O. PUTTARAJU
D/O. LATE MANJE GOWDA
AGED ABOUT 34 YEARS



CNR: KAHC010259682015

NC: 2026:KHC:54234
MFA No. 3142 of 2015

HAGASARAHALLI VILLAGE
KASABA HOBLI, ALUR TALUK
HASSAN DISTRICT

...APPELLANTS

(BY SRI. NARENDRA GOWDA, ADVOCATE)

AND:

1. SPECIAL LAND ACQUISITION OFFICER
HEMAVATHI RESERVOIR PLANNING-2
(H.R.P-II)
HASSAN
2. MANAGING DIRECTOR
CAUVERY NEERAVARI NIGAM
SURFACE WATER DATA CENTRE BUILDING
ANANDRAO CIRCLE
BANGALORE

...RESPONDENTS

(BY SRI. SANJAY YADAV B., AGA FOR R1

SRI. PRASHANTH B.R., ADVOCATE FOR R2)

THIS MFA IS FILED U/S 54(1) OF LAND ACQUISITION ACT AGAINST THE JUDGMENT AND DECREE DATED 09.01.2013 PASSED IN LAC NO.55/2011 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE, HASSAN, PARTLY ALLOWING THE REFERENCE PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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



CNR: KAHC010259682015

NC: 2026:KHC:54234
MFA No. 3142 of 2015

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

This appeal is preferred by the appellant - Sri.Manje Gowda, who is the claimant before the reference Court in LAC.No.55/2011, who is represented by his legal representatives, challenging the order dated 09.01.2013 passed by the Principal Senior Civil Judge, Hassan.

2. It is the case of the appellants that the land bearing survey No.76/19/1 measuring 1 ½ guntas and survey No.70 measuring 24 guntas totally 25 ½ guntas, of land situated at Echalahally village, Hassan taluk and District belonging to one Sri.Manje Gowda. The land of the said Manje Gowda was acquired by the respondent for the purpose of the Yagachi Reservoir Project, vide notification dated 30.03.2006. Accordingly, the respondent passed an award on 31.01.2009 granting compensation of Rs.63,800/- per acre.



CNR: KAHC010259682015

3. Being aggrieved by the said meager compensation, the appellant-Sri.Manje Gowda sought reference of the said award before the Civil Court by filing an application under Section 18(1) of the Land Acquisition Act seeking re-determination of the compensation on the ground that the market value of the said lands is more than 40 lakhs per acre, but the meager amount has been awarded by the respondent.

4. Pursuant to the matter being made over to the reference Court, evidence was adduced. Compensation was enhanced to Rs.20,000/- per gunta along with solatium and interest. Being aggrieved by the same, the appellant is before this Court once again seeking enhancement of compensation.

5. During the proceedings earlier, respondent No.2, i.e., Kaveri Neeravari Nigam was not made as a party, which is the beneficiary. Therefore, an application came to be filed, and the Kaveri Neeravari



CNR: KAHC010259682015

Nigam/respondent No.2 came to be impleaded. It is contended by learned counsel for the appellant that Kaveri Neeravari Nigam is the proper and necessary party, as they are the beneficiary, and they would have to ultimately pay the compensation in case of an order to that effect.

6. Per contra, learned additional government advocate and learned counsel Sri.Prashanth.B.R., appearing for respondent No.2, contends that the respondent No.2- beneficiary was not made a party before the reference Court as well as before this Court and now being made a party, the matter will have to be remanded to provide a suitable opportunity to the beneficiary to defend the case and place all materials before the reference Court, as the beneficiary- respondent No.2 was not heard while compensation was initially granted and subsequently enhanced.



CNR: KAHC010259682015

NC: 2026:KHC:54234
MFA No. 3142 of 2015

7. Learned counsel for the appellant has relied upon the judgment of the Division Bench of this Court in MFA No.7278/ 2015, wherein in similar circumstances, the respondent- beneficiary was not made a party. The Division Bench of this Court interfered with the impugned order and remitted the matter back to the reference Court to provide an opportunity to the beneficiary who was not made party before the reference Court.

8. The said judgment referred to by the learned counsel for the appellant is aptly applicable to the present facts and circumstances of the case. Under the circumstances, I pass the following order.

ORDER

1) The appeal is ***allowed.***

2) The impugned order dated 09.01.2013
in LAC No.55/2011 passed by the
Principal Senior Civil Judge, Hassan, is
hereby set aside, and the matter is



CNR: KAHC010259682015

remitted back to the reference Court for reconsideration afresh, and the reference Court shall provide a suitable opportunity to the respondent to contest the matter on merits.

3) It is made clear this Court has not expressed any opinion on the merits of the matter.

4) All contentions of the parties are kept open.

5) In view of the fact that the reference claim is made before the reference court in the year 2011, the reference court shall expedite the matter, and all the parties shall co-operate for expeditious disposal of the claim.

6) The registry shall refund the Court fee in accordance with Section 64 of the



NC: 2026:KHC:54234
MFA No. 3142 of 2015

CNR: KAHC010259682015

Karnataka Court fees and Suit valuation
Act to the appellants upon proper
identification.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 2