

Reserved on : 02.02.2026

Pronounced on : 05.06.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT APPEAL No. 534 OF 2022 (LA-RES)

BETWEEN:

1. SMT. VENKATAMMA,
AGED ABOUT 40 YEARS,
W/O SRI SRINIVAS @ VARADHARAJ,
R/AT: WARD No.16,
SATYAMMA COLONY,
VIJAYAPURA, KASABA HOBLI,
DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT.

...APPELLANT

(BY SMT. VENKATAMMA, PARTY-IN-PERSON)

AND:

1. SRI MEER KHALSEMULLA,
S/O SYED HAYATH,
RESIDING No.9, 1ST CROSS,
SIDDAIAH ROAD,
BANGALORE - 560 027.
2. SRI BALI HAI RESORTS PVT. LTD.,
No.325/1, 14TH MAIN ROAD,
R.M.V. EXTENSION,
BANGALORE - 560 084.

3. THE SPECIAL LAND ACQUISITION OFFICER
BANGALORE INTERNATIONAL AIRPORT LTD.,
KIADB, VITC BUILDINGS, 1ST FLOOR,
KASTURBA ROAD,
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI. P.V. CHANDRASHEKAR, ADVOCATE FOR R3;
V/O DATED 31.10.2025 NOTICE TO
R1 AND R2 IS HELD SUFFICIENT)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER IN WP
No.33436/2018 WITH CONNECTED MATTER MFA
No.5928/2015(LAC) DATED 06.04.2022 MARKED AS
ANNEXURE-K IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL HAVING BEEN HEARD AND RESERVED FOR
ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY,
K.V. ARAVIND J., DELIVERED THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE K. V. ARAVIND

C.A.V. JUDGMENT

(PER: HON'BLE MR. JUSTICE K.V.ARAVIND)

Heard Smt. Venkatamma the appellant appearing as
party-in-person and Sri P.V. Chandrashekar, learned counsel
appearing for respondent No.3.

2. This intra-Court appeal under Section 4 of the Karnataka
High Court Act, 1961, assails the judgment dated 06.04.2022
passed in W.P. No.33436/2017.

3. The appellant filed a writ petition challenging the order dated 15.04.2014 passed on I.A. No.1 in LAC No.105/2006. It is pleaded that respondent No.3-KIADB acquired 1 acre 20 guntas of land in Block No.44 of Sy. No.28 of Doddasanne Village, Kasaba Hobli, Devanahalli Taluk, for the construction of an International Airport. It is pleaded that a reference was made to the Civil Court under Section 30 of the Land Acquisition Act, 1894 (for short "Act").

3.1 In the said reference, the appellant filed an application under Order I Rule 10(2) of the Code of Civil Procedure, 1908 (for short "CPC"), seeking impleadment. The application came to be rejected on 15.04.2014. The appellant, impugning the judgment and award dated 11.06.2015 passed in LAC No.105/2006, preferred an appeal in MFA No.5928/2015. The learned Single Judge disposed of the MFA and the writ petition by a common order.

4. The appellnat, Smt. Venkatamma, appearing in person, submits that the land in question was allotted in favour of the father of the appellant and that the transfer was in violation of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978. Hence, an

application seeking restoration was filed before the Assistant Commissioner, which came to be rejected.

4.1 It is submitted that an appeal was filed before the Deputy Commissioner, wherein the sale was set aside and the land was restored to the appellant. It is submitted that the very same land was subjected to acquisition by respondent No.3 without payment of compensation. It is further submitted that the compensation has been incorrectly paid in favour of respondent No.2.

5. *Per contra*, Sri. P. V. Chandrashekar, learned counsel appearing for respondent No.3 specifically submits that the land of the appellant has not been acquired. It is submitted that the party-in-person is projecting the matter as though the appellant's land has been acquired. It is further submitted that, in the absence of acquisition of the appellant's land, no compensation can be paid.

6. Considered the submissions made by the party-in-person and the learned counsel appearing for respondent No.3.

7. As can be noticed from the findings recorded by the learned Single Judge, when the notification was issued by

respondent No.3, no objections were filed to the proposed acquisition. Sy. No.28 of Doddasanne Village, Kasaba Hobli, Devanahalli Taluk, is a vast extent of land owned by several persons. The reference under Section 30 of the Act was made to decide the entitlement to compensation between claimant Nos.1 and 2 in relation to the acquisition of 1 acre 28 guntas of land in Block No.44 of Sy. No.28 of Doddasanne Village, Kasaba Hobli, Devanahalli Taluk. The appellant claims a right in this parcel of land based on the order of restoration passed by the Deputy Commissioner, whereas the subject matter of the appeal before the Deputy Commissioner was land measuring 4 acres in Sy.No.28/P76 and Sy.No.28/P112 of Doddasanne Village.

7.1 A comparison of the land which is the subject matter of the reference under Section 30 of the Act with the land which is the subject matter of the appeal before the Deputy Commissioner makes it clear that the lands involved in both proceedings are distinct and not identical. Moreover, in Sy.No.28, several persons were granted parcels of land, of whom the appellant's grandfather was one such grantee. The evidence on record indicates that the land acquired belongs to respondent No.2, which is distinct from the land claimed by the

appellant. It is also recorded that the extent of land claimed and the RTC extracts produced in support of the claim do not correspond with each other.

8. On perusal of the pleadings, the findings recorded by the learned single Judge, as well as the contentions urged before this Court, it appears that the land claimed to be owned by the appellant has not been acquired by KIADB. In view of the large extent of land in Sy. No.28 granted to several persons, there exists a dispute regarding the identity of the land. The case on hand is not one of non-payment of compensation or acquisition of land; rather, it is a case requiring identification of the land. Unless the land claimed to be owned by the appellant is identified in appropriate proceedings before the competent forum, the question of acquisition or consequential compensation cannot be examined.

9. The process of identification of the land claimed by the appellant cannot be undertaken in the exercise of writ jurisdiction under Article 226 of the Constitution of India. The remedy for such an exercise lies before the competent Civil Court. As the controversy raised for consideration before this Court is beyond the scope of the present proceedings, we find

no ground to interfere with the order of the learned Single Judge.

10. Accordingly, the writ appeal stands ***dismissed***.

In the light of the dismissal of the appeal, all pending applications stand disposed of, as they do not survive for consideration.

**SD/-
(S.G.PANDIT)
JUDGE**

**SD/-
(K. V. ARAVIND)
JUDGE**

msr