



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 11TH DAY OF MARCH, 2026
PRESENT
THE HON'BLE MRS. JUSTICE ANU SIVARAMAN
AND
THE HON'BLE MS. JUSTICE TARA VITASTA GANJU
WRIT APPEAL NO. 857 OF 2023 (LA-KIADB)

BETWEEN:

1. THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
EAST WING, KHANIJA BHAVAN
RACECOURSE ROAD, BANGALORE-01.
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
2. KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
NO.14/3, MAHARSHI ARAVINDS BHAVAN
NRUPATHUGNA ROAD
BANGALORE-01
REPRESENTED BY ITS SPECIAL LAND ACQUISITION
OFFICER

...APPELLANTS

(BY SRI. B. B. PATIL, ADVOCATE)

AND:

MUNIRAMAIAH
S/O LATE MUNIYAPPA
SINCE DEAD BY HIS LRS

1. SHARADHAMMA

Digitally
signed by
PAVITHRA N

Location:
High Court
of Karnataka



D/O LATE MUNIRAMAIAH
AGED ABOUT 84 YEARS
VERNAGAL VILLAGE AND HOBLI
KOLAR TALUK AND DISTRICT

2. MUNIRAJU
S/O LATE MUNIRAMAIAH
AGED ABOUT 62 YEARS
VERNAGAL VILLAGE AND HOBLI
KOLAR TALUK AND DISTRICT
3. GOVINDARAJU
S/O LATE MUNIRAMAIAH
AGED ABOUT 58 YEARS
VERNAGAL VILLAGE AND HOBLI
KOLAR TALUK AND DISTRICT
4. THE STATE OF KARNATAKA
DEPARTMENT OF COMMERCE AND INDUSTRIES
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU-560001
BY ITS SECRETARY

...RESPONDENTS

(BY SMT. PRAMODHINI KISHAN, AGA FOR R4;
SRI. S. PRAKASH SHETTY, ADV. FOR R1 TO R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE WRIT APPEAL AND SET ASIDE THE ORDER DATED 09.03.2023 PASSED BY LEARNED SINGLE JUDGE IN WP NO.57816/2013 ALLOWING THE PETITIONS OF RESPONDENT NOS.1 TO 4 AND THEREBY SETTING ASIDE THE ACQUISITION PROCEEDINGS BY IMPOSING COST OF 2,50,000/- PAYABLE TO RESPONDENT NOS.1 TO 4.



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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This appeal is preferred against the judgment of the learned Single Judge dated 09.03.2023, passed in W.P.No.57816/2013 (LA-KIADB).

2. The learned Single Judge after considering the contentions advanced on either side found that the Preliminary Notification had been issued on 06.07.2010 followed by the Final Notification on 09.09.2011. It was found that the award was passed only in the year 2020 and there was no explanation for the delay.

3. Learned counsel for the appellants would contend that the acquisition was in respect of a large extent of 713 acres and 19 guntas of property, which was the reason for the delay in passing the award.



4. The learned Single Judge went on to consider the effect of non-passing of the award for an inordinately long time and found that the action of the State and its Authorities was unfair. The learned Single Judge on these findings, quashed the impugned notification and imposed cost of Rs.2,50,000/- on the appellants herein to be paid within a period of six weeks failing which, an amount of Rs.2,500/- per day as penalty was ordered to be paid for the delay.

5. Learned counsel for the appellants submits that even in case there was delay in passing of the award, the imposition of the exemplary cost was not justified in the facts of the case since the respondents had not lost possession of the Suit Property and they are still enjoying the Suit Property.

6. Learned counsel for the appellants also submits that no notice had actually been issued to the respondents



and that there were fraudulent affixing of signatures by the Officers of the KIADB.

7. Learned counsel for the respondents, on the other hand, contends that it was considering the fact that the respondents were agriculturists and the contention of the respondents that there was no proper award in the eye of law that the orders were passed by the learned Single Judge.

8. We have considered the contentions advanced on either side. The learned Single Judge, in coming to the conclusion that the acquisition cannot be upheld, had specifically considered the aspect of delay in passing of the award. The contentions raised by the learned counsel for the respondents do not find a place in the judgment of the learned Single Judge. It was for the reason that the award had been delayed without any due reason being shown that the exemplary costs were imposed on the appellants.



9. The learned counsel for the appellants submits that an amount of Rs.1,25,000/- is already in deposit pursuant to the Order of this Court dated 28.07.2023.

10. Having considered the contentions advanced, we are of the opinion that the costs ordered by the learned Single Judge can be limited to an amount of Rs.1,25,000/- , which is already in deposit by virtue of the Order of this Court dated 28.07.2023.

11. In the above view of the matter, this appeal is ***disposed of*** by upholding the findings of the learned Single Judge. However, the imposition of costs is limited to the amount of Rs.1,25,000/- which is deposited by the appellants. The said amount can be withdrawn by the appellants from the Registry with interest, if any, as applicable. The further penalty of Rs.2,500/- per day imposed by the learned Single Judge is vacated in the facts and circumstances of the case and on the basis of the submissions made on either side.



Pending applications, if any, stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

PN
List No.: 1 Sl No.: 17