



CNR: KAHC010382292026

NC: 2026:KHC:55143-DB
WA No. 1544 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 1544 OF 2026 (LA-RES)

BETWEEN:

1. KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED
REGISTERED OFFICE AT
SAMPARKA SOUDHA
NO. 8, BEP PREMISES,
OPPOSITE ORION MALL,
DR RAJKUMAR ROAD,
BANGALORE 560 010
REPRESENTED BY ITS
MANAGING DIRECTOR.

...APPELLANT

(BY SRI. MANU K., ADVOCATE)

AND:

1. SMT PRIYA KISHORE
W/O SRI KISHORE KUMAR,
AGED ABOUT MAJOR,
RESIDING AT 87 (10/11),
RAM VILLA, 3RD MAIN
4TH CROSS,
RAMACHANDRAPURAM,
BANGALORE 560 021
2. STATE OF KARNATAKA
VIDHANA SOUDHA,
DR AMBEDKAR VEEDHI,

Digitally
signed by
VASANTHA
KUMARY B
K

Location:
HIGH
COURT OF
KARNATAKA



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BANGALORE 560 001
REPRESENTED BY
PRINCIPAL SECRETARY,
PUBLIC WORKS DEPARTMENT.

3. DEPUTY COMMISSIONER
MANDYA DISTRICT,
PES COLLEGE CAMPUS,
MANDAY 571 401
4. ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER
PANDAVAPURA SUB DIVISION,
PANDAVAPURA 571 434,
MANDYA DISTRICT.
5. TAHSILDAR
SRIRANGAPATNA TALUK,
PANDAVAPURA SUB DIVISION,
SRIRANGAPATNA 571 438
MANDYA DISTRICT.

...RESPONDENTS

(BY SRI. S.H.RAGHAVENDRA, AGA FOR R2 TO R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO CALL FOR RECORDS FROM THE
FILE OF THE LEARNED SINGLE JUDGE OF THE HON'BLE COURT
IN WRIT PETITION No. 32062/2018 (LA-RES), ETC.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN



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ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra-court appeal has been filed impugning the judgment and order dated 17.12.2025 passed by the writ court in W.P.Nos.32062/2018 connected with W.P.No.34351/2216 filed by the respondent-owner.

2. The parties are referred to as per their ranking before the writ court, for the sake of convenience.

3. The petitioner's father had purchased lands bearing Survey Nos.14 and 16 of Bommuur Agrahara Village, Srirangapatna Taluk, Mandya District, under a registered sale deed. The said lands had originally been granted by the State Government under the provisions of the Karnataka Land Reforms Act, 1961.

4. After the purchase, the lands were converted from agricultural use to non-agricultural/commercial use pursuant to the orders passed by competent authority. In pursuance of the conversion orders, the revenue entries were mutated and property taxes were paid.



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5. During the execution of the project for widening and formation of State Highway-17, which was subsequently converted to National Highway-275, a portion of the petitioner's land was acquired and utilized for formation of road.

6. The appellant-respondent is a company under Public Works, Ports and Inland Water Transport Department and is wholly owned by the Government of Karnataka, incorporated in terms of the provisions of the Companies Act, 1956. A preliminary notification under Section 4(1) of the Land Acquisition Act, 1894 was issued for acquiring certain lands, including 7 guntas of land belonging to the petitioner in Sy.No.14 of Bommuru Agrahara Village, Belagola Hobli, Srirangapatna Taluk, Mandya District. A final notification under Section 6(1) of the Land Acquisition Act came to be issued on 30.12.2005.

7. It is stated that an award for a sum of Rs.52,910/- was published and an award notice dated 05.03.2007 was issued and the entire compensation amount of Rs.18,21,44/- with respect to all acquired lands in Bomuru Agrahara Village was deposited in the Savings Bank account of the Assistant



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Commissioner, Pandavapura Sub-Division. However, the said amount was neither deposited in the Court nor paid to the petitioner. The petitioner, therefore, filed the Writ Petition seeking following relief:

Direct respondent No.1 to issue a notification for the acquisition of the schedule property of the petitioner in an extent of 27 guntas contained in Sy.No.16 of Bommuru Agrahara Village, Belagola Hobli, Srirangapatna Taluk, Mandya District(schedule property) and pass an award in accordance with the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

8. The writ Court on the basis of the pleadings and submissions made on behalf of the parties framed the following points for consideration:

"i. Whether the acquisition has lapsed under Section 24(2) of the Act, 2013?

ii. Whether the deposit with the Assistant commissioner/SLAO amounts to payment?

iii. Whether the petitioner is entitled for compensation under the Act, 2013?"

9. Having considered the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013



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(hereinafter referred to as 'the Right to Fair Compensation Act') as well as the mandate of Section 31 of the Land Acquisition Act, the writ court rejected the prayer seeking declaration of lapse of the acquisition proceedings under Section 24(2) of the Right to Fair Compensation Act. However, the writ court held that the petitioner would be entitled to determination and payment of compensation on the basis of prevailing market value of the land utilized for the Highway project, which should be computed by applying Sections 26 to 30 of the Right to Fair Compensation Act, including all statutory components, in terms of the judgment of the Supreme Court in ***Bernard Francies Joseph Vaz and Others v. Government of Karnataka and Others***, 2025 SCC OnLine SC 20.

10. Admittedly, the compensation was neither paid nor deposited in respect of the petitioner's land acquired for the purpose of widening the Bengaluru-Mysuru Highway (SH-17), now NH-275. Article 300A of the Constitution of India mandates payment of adequate and timely compensation for property acquired by the State in exercise of its power of eminent domain. If property is acquired without payment of



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compensation, such acquisition would be illegal, invalid and in violation of Articles 14 and 300A of the Constitution of India.

11. We are, therefore, of the view that the writ court has rightly directed the appellant/respondent to pay compensation on the basis of the prevailing market value of the petitioner's land by applying the provisions of Sections 26 to 30 of the Right to Fair Compensation Act. We find no error in the impugned judgment and order passed by the learned Single Judge. Accordingly, the appeal is ***dismissed***, and the order passed by the writ court is affirmed.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(H.SHANTHI BHUSHAN)
JUDGE**

RKA
List No.: 1 Sl No.: 5