



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO.8116 OF 2022 (LAC)

BETWEEN:

1. PUTTASWAMYGOWDA
S/O NINGEGOWDA
AGED ABOUT 65 YEARS
R/O AVVERAHALLI VILLAGE
BINDIGANAVILE HOBLI
NAGAMANGALA TALUK
MANDYA DIST 571432

...APPELLANT

Digitally signed
by SUMATHY
KANNAN

Location: HIGH
COURT OF
KARNATAKA,
BENGALURU

(BY SRI. SYED AKBAR PASHA, ADVOCATE)

AND:

1. THE DEPUTY CHIEF ENGINEER
(CONSTRUCTION) SOUTH WESTERN RAILWAY
CANTONMENT
BENGALURU 560 001



2. LAND ACQUISITION OFFICER
THE SUB DIVISIONAL OFFICER
PANDAVAPURA SUB DIVISION
PANDAVAPURA
MANDYA DIST 571434

3. THE DEPUTY COMMISSIONER
MANDYA DISTRICT
MANDYA 571 401

...RESPONDENTS

(BY SRI.MADHUKAR M.DESHPANDE, ADVOCATE FOR R1
SMT. RADHA RAMASWAMY, AGA FOR R2 & R3)

THIS MFA FILED U/S.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION
REHABILITATION AND RESETTLEMENT ACT DATED 19.03.2022
PASSED IN LAC NO.115/2018 ON THE FILE OF THE II
ADDITIONAL DISTRICT AND SESSIONS JUDGE, MANDYA,
PARTLY ALLOWING THE REFERENCE PETITION U/S.64 OF
RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND
ACQUISITION REHABILITATION AND RESETTLEMENT ACT,
2013.

THIS APPEAL, COMING ON FOR ORDERS, 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 filed by the claimant-owner of the land being aggrieved by the grant of inadequate compensation as per the judgment and award passed in LAC No.115/2018 dated 19.03.2020 by the Court of the II Addl. District and Sessions Judge, Mandya (hereinafter referred to as 'the Reference Court').

2. It is the case of appellant-claimant that he is the owner of the land bearing Sy.No.10/C measuring 0.16 guntas at Avverahalli Village, Bindiganavile Hobli, Nagamangala Taluk, Mandya District and it was acquired for the purpose of construction of Bengaluru-Hassan new railway broad-gauge vide preliminary notification dated 28.06.2013, Gazetted on 04.07.2013. The SLAO had granted Rs.2,19,600/- per acre and upon the reference, the Reference Court has enhanced the same to Rs.5,80,800/- per acre. Still being aggrieved that the order of compensation is meagre one, the claimants have preferred this appeal.



3. Learned counsel for the appellant submitted that the very same Court in other LAC cases pertaining to other landowners in respect of the very same notification and the very same village has granted compensation of Rs.80,000/- per gunta by placing reliance on a sale deed. Therefore, on parity also, the appellant herein is entitled to similar compensation as what the other landowners have received. Hence, the claimant has preferred this appeal.

4. On the other hand, learned counsel for the respondents vehemently opposed the appeal and justified the compensation awarded by the Reference Court.

5. We notice that the very same Reference Court in the respect of other land losers in LAC Nos.93/2018 and 89/2018 by judgment dated 31.03.2022 has determined the market value of Rs.80,000/- per gunta placing reliance on the same sale deed of the year 2007 by comparative sale statistics. In the said LAC, the market value of the land was determined at Rs.50,000/- per gunta and escalation at 10% per year was added. Accordingly, for 6 years, the Reference Court has considered Rs.30,000/- at a price over and above Rs.50,000/-.



In the present case also, the appellant is standing on the same footing as that of the landowners in other LAC cases stated *supra* and when the land of the other landowners of the same village was acquired for the same purpose under the same preliminary notification, there cannot be any discrimination between the two landowners who are similarly situated. Therefore, in the present case also, the appellant is entitled to Rs.50,000/- per gunta based on the even dated sale deeds and considering the sale deed as tentative to the trial and the alleged land has been acquired on 28.06.2013 and therefore, for 6 years, 10% escalation has to be added. Accordingly, the claimant-landowner is entitled to Rs.80,000/- per gunta on parity with the landowners in LAC Nos.93/2018 and 89/2018. Therefore, the appeal is liable to be allowed. Accordingly, we proceed to pass the following:

ORDER

- (i) The appeal is allowed with costs.
- (ii) The judgment and award passed in LAC No.115/2018 dated 19.03.2020 by the Court of the II Addl. District and Sessions Judge, Mandya, is modified holding that the appellant-land owner is entitled to compensation of



Rs.80,000/- per gunta along with all statutory benefits and interest. However, the appellant is not entitled to interest for the delayed period for the delay in preferring the application and also the appeal filed in this Court, if any.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(TARA VITASTA GANJU)
JUDGE