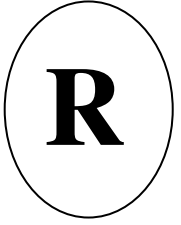




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NC: 2023:KHC-D:12094-DB
**WA No. 100266 of 2022 AND
CONNECTED MATTERS**



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 7TH DAY OF OCTOBER, 2023

PRESENT

THE HON'BLE MR JUSTICE S.R. KRISHNA KUMAR

AND

THE HON'BLE MR JUSTICE G BASAVARAJA

WRIT APPEAL NO. 100266 OF 2022 (LA-RES)

C/W

WRIT APPEAL NO. 100262 OF 2022 (LA-RES)
WRIT APPEAL NO. 100285 OF 2022 (LA-RES)
WRIT APPEAL NO. 100335 OF 2022 (LA-RES)
WRIT APPEAL NO. 100270 OF 2022 (LA-RES)
WRIT APPEAL NO. 100566 OF 2022 (LA-RES)
WRIT APPEAL NO. 100082 OF 2023 (LA-RES)
WRIT APPEAL NO. 100279 OF 2022 (LA-RES)
WRIT APPEAL NO. 100463 OF 2022 (LA-RES)
WRIT APPEAL NO. 100481 OF 2022 (LA-RES)
WRIT APPEAL NO. 100511 OF 2022 (LA-RES)
WRIT APPEAL NO. 100283 OF 2022 (LA-RES)
WRIT APPEAL NO. 100310 OF 2022 (LA-RES)
WRIT APPEAL NO. 100343 OF 2022 (LA-RES)
WRIT APPEAL NO. 100471 OF 2022 (LA-RES)
WRIT APPEAL NO. 100284 OF 2022 (LA-RES)
WRIT APPEAL NO. 100559 OF 2022 (LA-RES)
WRIT APPEAL NO. 100066 OF 2023 (LA-RES)
WRIT APPEAL NO. 100124 OF 2023 (LA-RES)
WRIT APPEAL NO. 100315 OF 2022 (LA-RES)
WRIT APPEAL NO. 100317 OF 2022 (LA-RES)

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SOMASHEKAR


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WRIT APPEAL NO. 100331 OF 2022 (LA-RES)
WRIT APPEAL NO. 100502 OF 2022 (LA-RES)
WRIT APPEAL NO. 100464 OF 2022 (LA-RES)
WRIT APPEAL NO. 100478 OF 2022 (LA-RES)
WRIT APPEAL NO. 100151 OF 2023 (LA-RES)
WRIT APPEAL NO. 100453 OF 2022 (LA-RES)
WRIT APPEAL NO. 100074 OF 2023 (LA-RES)
WRIT APPEAL NO. 100110 OF 2023 (LA-RES)
WRIT APPEAL NO. 100462 OF 2022 (LA-RES)
WRIT APPEAL NO. 100521 OF 2022 (LA-RES)
WRIT APPEAL NO. 100537 OF 2022 (LA-RES)
WRIT APPEAL NO. 100081 OF 2023 (LA-RES)
WRIT APPEAL NO. 100465 OF 2022 (LA-RES)
WRIT APPEAL NO. 100472 OF 2022 (LA-RES)
WRIT APPEAL NO. 100497 OF 2022 (LA-RES)
WRIT APPEAL NO. 100561 OF 2022 (LA-RES)
WRIT APPEAL NO. 100512 OF 2022 (LA-RES)
WRIT APPEAL NO. 100443 OF 2022 (LA-RES)
WRIT APPEAL NO. 100108 OF 2023 (LA-RES)
WRIT APPEAL NO. 100301 OF 2023 (LA-RES)
WRIT APPEAL NO. 100420 OF 2022 (LA-RES)
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WRIT APPEAL NO. 100051 OF 2023 (LA-RES)
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WRIT APPEAL NO. 100507 OF 2022 (LA-RES)
WRIT APPEAL NO. 100163 OF 2023 (LA-RES)



WRIT APPEAL NO. 100410 OF 2022 (LA-RES)
WRIT APPEAL NO. 100034 OF 2023 (LA-RES)
WRIT APPEAL NO. 100069 OF 2023 (LA-RES)
WRIT APPEAL NO. 100125 OF 2023 (LA-RES)
WRIT APPEAL NO. 100412 OF 2022 (LA-RES)
WRIT APPEAL NO. 100003 OF 2023 (LA-RES)
WRIT APPEAL NO. 100061 OF 2023 (LA-RES)
WRIT APPEAL NO. 100096 OF 2023 (LA-RES)
WRIT APPEAL NO. 100509 OF 2022 (LA-RES)
WRIT APPEAL NO. 100338 OF 2022 (LA-RES)
WRIT APPEAL NO. 100065 OF 2023 (LA-RES)
WRIT APPEAL NO. 100297 OF 2023 (LA-RES)
WRIT APPEAL NO. 100302 OF 2023 (LA-RES)
WRIT APPEAL NO. 100020 OF 2023 (LA-RES)
WRIT APPEAL NO. 100058 OF 2023 (LA-RES)
WRIT APPEAL NO. 100072 OF 2023 (LA-RES)
WRIT APPEAL NO. 100209 OF 2023 (LA-RES)
WRIT APPEAL NO. 100342 OF 2022 (LA-RES)
WRIT APPEAL NO. 100456 OF 2022 (LA-RES)
WRIT APPEAL NO. 100004 OF 2023 (LA-RES)
WRIT APPEAL NO. 100095 OF 2023 (LA-RES)
WRIT APPEAL NO. 100344 OF 2022 (LA-RES)
WRIT APPEAL NO. 100442 OF 2022 (LA-RES)
WRIT APPEAL NO. 100562 OF 2022 (LA-RES)
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WRIT APPEAL NO. 100476 OF 2022 (LA-RES)
WRIT APPEAL NO. 100501 OF 2022 (LA-RES)



WRIT APPEAL NO. 100049 OF 2023 (LA-RES)
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WRIT APPEAL NO. 100411 OF 2022 (LA-RES)
WRIT APPEAL NO. 100440 OF 2022 (LA-RES)
WRIT APPEAL NO. 100450 OF 2022 (LA-RES)
WRIT APPEAL NO. 100054 OF 2023 (LA-RES)
WRIT APPEAL NO. 100482 OF 2022 (LA-RES)
WRIT APPEAL NO. 100496 OF 2022 (LA-RES)
WRIT APPEAL NO. 100053 OF 2023 (LA-RES)
WRIT APPEAL NO. 100062 OF 2023 (LA-RES)
WRIT APPEAL NO. 100444 OF 2022 (LA-RES)
CCC NO. 100272 OF 2022
WRIT APPEAL NO. 100492 OF 2022 (LA-RES)
WRIT APPEAL NO. 100016 OF 2023 (LA-RES)
WRIT APPEAL NO. 100098 OF 2023 (LA-RES)
WRIT APPEAL NO. 100375 OF 2022 (LA-RES)
WRIT APPEAL NO. 100423 OF 2022 (LA-RES)
WRIT APPEAL NO. 100073 OF 2023 (LA-RES)
WRIT APPEAL NO. 100318 OF 2022 (LA-RES)
WRIT APPEAL NO. 100454 OF 2022 (LA-RES)
WRIT APPEAL NO. 100567 OF 2022 (LA-RES)
WRIT APPEAL NO. 100295 OF 2023 (LA-RES)



WRIT APPEAL NO. 100563 OF 2022 (LA-RES)
WRIT APPEAL NO. 100477 OF 2022 (LA-RES)
WRIT APPEAL NO. 100057 OF 2023 (LA-RES)
WRIT APPEAL NO. 100523 OF 2022 (LA-RES)
WRIT APPEAL NO. 100085 OF 2023 (LA-RES)
WRIT APPEAL NO. 100126 OF 2023 (LA-RES)
WRIT APPEAL NO. 100129 OF 2023 (LA-RES)
WRIT APPEAL NO. 100056 OF 2023 (LA-RES)
WRIT APPEAL NO. 100298 OF 2023 (LA-RES)
WRIT APPEAL NO. 100430 OF 2022 (LA-RES)
WRIT APPEAL NO. 100071 OF 2023 (LA-RES)
WRIT APPEAL NO. 100305 OF 2023 (LA-RES)

IN WA NO.100266 OF 2022:

BETWEEN:

THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD,
OLD ADDRESS HUBLI DHARWAD MUNICIPAL CORPORATION,
STATION ROAD HUBLI,
REP. BY ITS COMMISSIONER.

...APPELLANT

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SRI. ARUN VENKANNA NAVALI
AGED 55 YEARS, OCC. BUSINESS,
R/AT. OLD INCOME TAX OFFICE ROAD,
VIDYANAGAR, HUBBALLI 580021,
TALUK. HUBBALLI, DIST. DHARWAD.
2. HUBBALLI DHARWAD MUNICIPAL CORPORATION
STATION ROAD, HUBBALLI 580029,
REPRESENTED BY ITS COMMISSIONER.



3. THE TAHASILDAR
HUBBALLI -580020.

...RESPONDENTS

(BY SRI.G.R.GURUMATH, SENIOUR COUNSEL FOR
SRI. MALLIKARJUNSWAMY B. HIEMATH, ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. MALLIKARJUNSWAMY B.HIEMATH, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.108208 AND 108209/2016(LA-RES);(B) DISMISS W.P.NO.108208
AND 108209/2016(LA-RES).

IN WA NO.100262 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA REP BY
THE PRINCIPAL SECRETARY TO GOVT.
DEPT. OF URBAN DEVELOPMENT,
VIKASA SOUDHA BENGALURU-560001.
2. THE TAHASILDAR
HUBBALLI -580029.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SRI. ARUN VENKANNA NAVALI
AGED 55 YEARS, OCC. BUSINESS,
R/AT. OLD INCOME TAX OFFICE ROAD,
VIDYANAGAR, HUBBALLI 580021,
TALUK. HUBBALLI-5800021.
2. HUBBALLI DHARWAD MUNICIPAL
CORPORATION, STATION ROAD,
HUBBALLI-580020,
REPRESENTED BY ITS COMMISSIONER.
3. THE KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., KSFC BUILDING,
FIRST FLOR, P.B.ROAD, RAYAPUR-580009,
REPRESENTED BY ITS SPECIAL LAND
ACQUISITION OFFCER.

...RESPONDENTS



(BY SRI.G.R.GURUMATH, SENIOUR COUNSEL FOR
SRI. MALLIKARJUNSWAMY B. HIEMATH, ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R2;
SRI.C.V.ANGADI, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, PRAYING TO A. CALL FOR THE RECORDS IN W.P. NOS. 108208-108209/2016 DATED 22.12.2021 AND AFTER EXAMINING THE SAME. QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NOS 108208-108209/2016 C. GRANT SUCH OTHER RELIEFS AS THIS HON'BLE COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

IN WA NO.100285 OF 2022:

BETWEEN:

HUBBALLI URABAN DEVELOPMENT AUTHORITY
REP.BY ITS COMMISSIONER,
NAGANAGAR, TQ. HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. HUBBALLI DHARWAD MUNICIPAL CORPORATION
STATION ROAD, HUBBALLI,
REPRESENTED BY ITS COMMISSIONER.
2. THE KARNATAKA ROAD DEVELOPMENT CORPORATION
LIMITED, K.S.F.C. BUILDING, FIRST FLOOR,
P.B.ROAD, RAYAPUR, DHARWAD – 580001.
REPRESENTED BY IS SPECIAL LAND
ACQUISITION OFFICER.
3. THE TAHASHILDAR
HUBBALLI, TQ AND DIST. DHARWAD.
4. SRI. ARUN S/O. VENKANNA NAVALI
AGE. 55 YEARS, OCC. BUSINESS,
R/O OLD INCOME TAX OFFICE ROAD,
VIDYANAGAR, HUBBALLI,
TQ AND DIST. DHARWAD.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3;
SRI.G.R.GURUMATH, SENIOUR COUNSEL FOR
SRI. MALLIKARJUNSWAMY B. HIEMATH, ADV. FOR R4)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO. 108208-108209/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100335 OF 2022:

BETWEEN:

HUBLI -DHARWAD MUNICIPAL CORPORATION
HUBBALLI, BY ITS COMMISSIONER,
BY ITS AUTHORIZED OFFICER,
SAVITA PATIL, LAW OFFICER-580001.

...APPELLANT

(BY SRI. A.P.KAMOJI, ADVOCATE)

AND:

1. SRI. ARUN VENKANNA NAVALI
AGED 54 YEARS, OCC. BUSINESS,
R/O. OLD INCOME TAX,
OFFICE ROAD, VIDYANAGAR,
HUBBALLI-580022.
2. THE KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
KSFC BUILDING FIRST FLOOR,
P.B. ROAD, RAYAPUR,
DHARWAD, R/BY ITS SPECIAL LAND
ACQUISITION OFFICER.
3. THE TAHASILDAR
HUBBALLI-580022.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.108208/2016 (LA-RES), IN THE INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100270 OF 2022:

BETWEEN:

HUBLI -DHARWAD MUNICIPAL CORPORATION
HUBBALLI, BY ITS COMMISSIONER,
BY ITS AUTHORIZED OFFICER,
SAVITA PATIL, LAW OFFICER.

...APPELLANT

(BY SRI.V.M.SHEELVANT, ADVOCATE)

AND:

1. SHRI. DHARMASTHALA MANJUNATHESHWAR
MEDICAL EDUCATIONAL SOCIETY,
OLD P.B.ROAD, DIST. DHARWAD -580001.
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
3. HUBBALLI DHARWAD BRTS CO. LTD
(DIRECTORATE OF URBAN LAND TRANSPORT)
1ST FLOOR, KSFC BUILDING, RAYAPUR, P.B.RAOD,
DHARWAD – 580009,
THE MANAGING DIRECTOR.
4. THE SPECIAL OFFICER
K.R.L.C.L/B.R.T.S RAYAPUR,
P.B.ROAD, DHARWAD – 58009.
5. THE COMMISSIONER
HUBBALLI-DHARWAD URBAN
DEVELOPMENT AUTHORITY,
HUBBALLI-580001.
6. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING, BENGALURU-560001.
7. THE CHIEF ENGINEER
KRDCL, NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS, BENGALURU – 560002.

...RESPONDENTS

(BY SRI. SMT.ARCHANA MAGADUM, ADVOCATE FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R3;
SRI.C.V.ANGADI ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PRAYING TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.104989-104990/2018 (LA-RES), IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100566 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.

2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
DHARWAD-580 009.
OLD ADDRESS:
HUBBALLI - DHARWAD BRTS COMPANY LTD,
(DIRECTORATE OF URBAN LAND TRANSPORT)
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD,
BY ITS MANAGING DIRECTOR.

...APPELLANTS

(BY SRI. C.V. ANGADI, ADVOCATE)

AND:

1. SHRI. DHARMASTHALA MANJUNATHESHWAR
MEDICAL EDUCATION SOCIETY,
OLD P.B. ROAD, DHARWAD-580 001
REPRESENTED BY ITS SECRETARY,
V.JEEVANDHAR KUMAR,
AGE:79 YEARS.



2. THE SPECIAL OFFICER
K.R.D.C.L/B.R.T.S,
OFFICE OF BRTS, 2ND FLOOR,
B BLOCK, NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021,
OLD ADDRESS:
THE SPECIAL OFFICER
K.R.D.C.L/B.R.T.S,
RAYAPUR,
DHARWAD-580009.
3. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580001.
4. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING, BENGALURU-560001.
5. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
NO.16,2ND FLOOR,
SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
OLD ADDRESS:
THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
NO.16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.

...RESPONDENTS

(BY SRI. SMT.ARCHANA MAGADUM, ADVOCATE FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4;
R2 AND R5-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET-ASIDE THE ORDER
DATED 22-12-2021 PASSED IN W.P.NO.104989-104990/2018(LA-RES).



IN WA NO.100082 OF 2023:

BETWEEN:

HUBBALLI URBAN DEVELOPMENT AUTHORITY
R/BY ITS COMMISSIONER,
NAVANAGAR,
TQ. HUBBALLI,
DIST. DHARWAD-580001

...APPELLANT

(BY SRI. B SHARANABASAWA, ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
2. HUBLI DHARWAD BRTS COMPANY LTD,
(DIRECTORATE OF URBAN LAND TRANSPORT),
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580 009,
BY ITS MANAGING DIRECTOR.
3. THE SPECIAL OFFICER
K.R.D.C.L./B.R.T.S,
RAYAPUR, DHARWAD-580009.
4. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M.S.BUILDING, BENGALURU-560 001,
REP. BY ITS SECRETARY.
5. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD,
NO.16, J.MILLAR TANK BED AREA
TIMMAYYA ROAD CROSS,
BENGALURU-560 002.
6. SHRI. DHARMASTHALA MANJUNATHESHWAR
MEDICAL EDUCATION SOCIETY,
OLD P.B.ROAD, DAHRWAD-580001,
REPRESENTED BY ITS SECRETARY,
V. JEEVANDHAR KUMAR, AGE. 79 YEARS.

...RESPONDENTS

(BY SRI. SMT.ARCHANA MAGADUM, ADVOCATE FOR C/R6;
SRI. C.V.ANGADI, ADV. FOR R1, R2 AND R5;
SRI.V.M.SHEELVANT, ADV. FOR R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO. 104989-104990/2018 BY DISMISSING THE WRIT PETITION.

IN WA NO.100279 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
KRDCL, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
HUBBALLI-DHARWAD,
KDDCL COMPANY LTD.,
REP BY ITS MANAGING DIRECTOR,
DHARWAD, TQ AND DIST:
DHARWAD-580001.

...APPELLANTS

(BY SRI. C. V. ANGADI, ADVOCATE)

AND:

1. SMT. SONABAI W/O. TUKARAM SHINDHE
AGED. 73 YEARS, OCC. HOUSEHOLD,
R/O. NAVALUR-580009, TQ. DIST. DHARWAD.
2. SHRI. TUKARAM S/O. NARAYAN SHINDHE
AGED. 79 YEARS, OCC. BUSINESS,
R/O. NAVALUR-580009, TQ. DIST. DHARWAD.



3. SMT. RAVI S/O. TUKARAM SHINDHE
AGED. 49 YEARS, OCC. BUSINESS,
R/O. NAVALUR-580009, TQ. DIST. DHARWAD.
4. SMT. ROOPA W/O. RAVI SHINDHE
AGED. 40 YEARS, OCC. BUSINESS,
R/O. NAVALUR-580009, TQ. DIST. DHARWAD.
5. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT M.S. BUILDING,
BENGALURU-560001,
REP BY ITS SECRETARY.
6. THE COMMISSIONER
HDMC, DHARWAD-580008.
7. HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, REPRESENTED BY
ITS COMMISSIONER,
NAVANAGAR, TALUK.
HUBBALLI,
DIST, DHARWAD-580001.

...RESPONDENTS

(BY SRI. SHIVASAI M.PATIL AND SRI. R.R.ROTI, ADV. FOR R4;
SRI.V.M. SHEELVANT, ADV. FOR R6;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4
SRI.B.SHARANABASAWA. ADV. FOR R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLO THIS WRIT
APPEAL TO SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.104783/2016 (LA-RES).(B) TO DISMISS W.P.NO.104783/2016 (LA-
RES).

IN WA NO.100463 OF 2022:

BETWEEN:

HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAGANAGAR, TQ. HUBBALLI,
DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B SHARANABASAWA, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT DEPARTMENT,
M S BUILDING, BENGALURU 01,
REP. BY ITS SECRETARY.
2. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHAWAD -580009.
3. THE COMMISSIONER
HDMC, DHARWAD.
4. HUBBALLI DHARWAD KRDCL CO.LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD 580009.
5. SMT. SONABAI W/O. TUKARAM SHINDE
AGED ABOUT 74 YEARS,
OCC. HOUSEHOLD WORK,
R/O. NAVALUR, DHARWAD.
6. SHRI. TUKARAM S/O. NARAYAN SHINDE
AGED ABOUT 80 YEARS, OCC. BUSINESS,
R/O. NAVALUR, DHARWAD.
7. SHRI. RAVI S/O. TUKARAM SHINDE
AGED ABOUT 60 YEARS, OCC. BUSINESS,
R/O. NAVALUR, DHARWAD.
8. SMT. ROOPA W/O RAVI SHINDE
AGED ABOUT 41 YEARS, OCC. BUSINESS,
R/O. NAVALAUR, DHARWAD.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R2 AND R4;
SRI.V.M.SHEELVANT, ADV. FOR R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
R5-DECEASED; R6, R7, R8-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.104783/2016 BY DISMISSING THE WRIT PETITION.



IN WA NO.100481 OF 2022:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION DHARWAD,
BY ITS COMMISSIONER

...APPELLANT

(BY SRI. V M SHEELVANT, ADVOCATE)

AND:

1. SMT. SONABAI W/O. TUKARAM SHINDE
AGED. 70 YEARS, OCC. HOUSEHOLD,
R/O. NAVLUR, TQ. AND DIST. DHARWAD.
2. SHRI. TUKARAM S/O. NARAYAN SHINDE
AGED. 76 YEARS, OCC. BUSINESS,
R/O. NAVLUR, TQ. AND DIST. DHARWAD.
3. SHRI. RAVI S/O. RUKARAM SHINDE
AGED. 46 YEARS, OCC. BUSINESS,
R/O. NAVLUR, TQ. AND DIST. DHARWAD.
4. SMT. ROOPA W/O. RAVI SHINDE
AGED. 37 YEARS, OCC. BUSINESS,
R/O. NAVLUR, TQ. AND DIST. DHARWAD.
5. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS PORTS
AND INLAND WATER TRANSPORT DEPARTMENT
M.S. BUILDING, BENGALURU-01,
R/BY ITS SECRETARY.
6. THE SPECIAL LAND ACQUISITION OFFICER
K.R.D.C.L., 1ST FLOOR, KSFC BUILDING,
P.B. ROAD, RAYAPUR, DHARWAD-580009.
7. HUBBALLI-DHARWAD KRDCL CO. LTD.,
R/BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.
8. THE COMMISSIONER
H.D.U.D.A., NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV.
SRI. C.V.ANGADI, ADV.
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, THE APPELLANT MOST RESPECTFULLY PRAYS THAT THE HON BLE COURT BE PLEASED TO ALLOW THE WRIT APPEAL AND SET ASIDE THE ORDER DATED.22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.104783/2016 (LA).

IN WA NO.100511 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEVELOPMENT, MS BUILDING, BENGALURU-01,
REP BY ITS SECRETARY.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SMT. SONABAI W/O. TUKARAM SHINDE
AGED. 74 YEARS, OCC. HOUSEHOLD,
R/O. NAVLUR-580009, TQ. AND DIST. DHARWAD.
2. SHRI. TUKARAM S/O. NARAYAN SHINDE
AGED. 80 YEARS, OCC. BUSINESS,
R/O. NAVLUR-580009, TQ. AND DIST. DHARWAD.
3. SHRI. RAVI S/O. RUKARAM SHINDE
AGED. 50 YEARS, OCC. BUSINESS,
R/O. NAVLUR-580009, TQ. AND DIST. DHARWAD.
4. SMT. ROOPA W/O. RAVI SHINDE
AGED. 41 YEARS, OCC. BUSINESS,
R/O. NAVLUR-580009, TQ. AND DIST. DHARWAD.
5. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/HDBRTS,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
6. THE COMMISSIONER
HDMC DHARWAD.



7. MANAGING DIRECTOR
HUBBALLI- DHARWAD BRTC COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
8. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANGAR,
HUBBALLI-580025, DIST: DHARWAD.

...RESPONDENTS

(BY SRI.V.M.SHEELVANT, ADV. FOR R6;
SRI. C.V.ANGADI, ADV. FOR R5 AND R7;
SRI.B.SHARANABASAWA, ADV. FOR R8;
R1, R2, R3 AND R4-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND
SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.NO.104783/2016 (LA-
RES).(B) DISMISS W.P.NO.104783/2016 (LA-RES).

IN WA NO.100283 OF 2022:

BETWEEN:

1. THE SPECIAL LQND ACQUISITION OFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRYS COMPAN LTD.,
2ND FLOOR, B BLOCK, NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
HUBBALLI DHARWAD BRYS CO. LTD
OFFICE OF BRTC, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.

...APPELLANTS

(BY SRI. C.V. ANGADI,ADVOCATE)



AND:

1. BELLAD AND COMPANY
HYUNDAI DIVISION,
BHAIRIDEVARKOPPA, HUBBALLI-580025.
TALUK. HUBBALLI, DIST. DHARWAD.
BY ITS MANAGING PARTNER,
ARAVIND S/O. CHANDRAKANT BELLAD.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING, BENGALURU-560001.
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR RAJKUMAR RD.
RAJAJINAGAR, BENGALURU, KARNATAKA-560010.
4. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580025.
5. COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI-580029.

...RESPONDENTS

(BY SRI. G.R.GURUMATH, SENIOR COUNSEL FOR
SRI.MALLIKARJUNSWAMY B.HIREMATH, ADV FOR R1;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
R3-SERVED; SRI. B.SHARANABASAWA, ADV. FOR R4;
SRI.V.M.SHEELVANT, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.104025/2016 (LA-RES).(B) TO DISMISS W.P.NO.104025/2016 (LA-RES).

IN WA NO.100310 OF 2022:

BETWEEN:

THE COMMISSIONER HUBBALLI-DHARWAD
URBAN DEVELOPMENT AUTHORITY,
NAVANAGAR, TQ HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B SHARANABASAWA, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M S BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION
LTD., NO.16, J -MILLER TANK,
BED AREA, TIMMAYYA ROAD CROSS,
BENGALURU-560002.
3. HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPURA, DHARWAD,
TQ AND DIST DHARWAD-580001.
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL 1ST FLOOR, KSFC BUILDING
RAYAPUR, DHARWAD,
TQ AND DIST DHARWAD-580001.
5. THE COMMISSIOENR
HUBLI DHARWAD MUNICIPAL CORPORATION
DHARWAD, TQ AND DIST DHARWAD-580001.
6. BELLAD AND COMANY
HYUNDAI DIVISION,
BAIRIDEVARAKOPPA,
HUBBALLI, DIST. DHARWAD,
BY ITS MANAGING PARTNER,
ARVIND S/O. CHANDRAKANT BELLAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2 TO R4;
SRI. V.M.SHEELVANT, ADV. FOR R5;
SRI. G.R.GURUMATH, SENIOR COUNSEL FOR
SRI.MALLIKARJUNSWAMY B.HIREMATH, ADV FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, MAY KINDLY BE
PLEASED TO ALLOW THIS APPEAL AND SET-ASIDE THE JUDGMENT AND
ORDER DATED 2212.2021, PASSED BY THE LEARNED SINGLE JUDGE IN
WRIT PETITION NO. 104025/2016 BY DISMISSING THE WRIT PETITION.



IN WA NO.100343 OF 2022:

BETWEEN:

HUBLI -DHARWAD MUNICIPAL CORPORATION
HUBBALLI-560001, BY ITS COMMISSIONER
BY ITS AUTHORIZED OFFICER,
SAVITA PATIL, LAW OFFICER.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. BELLAD AND COMPANY HYUNDAI DIVISION
BHAIRIDEVARKOPPA
HUBBALLI, DIST: DHARWAD-580001,
BY ITS MANAGING PARTNER,
ARVIND S/O. CHANDRAKANT BELLAD.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LIMITED,
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.
4. HUBLI -DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
5. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
6. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-5800020.

...RESPONDENTS

(BY SRI. G.R.GURUMATH, SENIOR COUNSEL FOR
SRI.MALLIKARJUNSWAMY B.HIREMATH, ADV FOR R1;
R1-SERVED;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.C.V.ANGADI, ADV. FOR R3 TO R5;
SRI.B.SHARANABASAWA, ADV. FOR R6)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 104025/2016 (LA -RES).

IN WA NO.100471 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING, BENGALURU-560001,
BY ITS PRINCIPAL SECRETARY.

...APPELLANT

(BY GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. BELLAD AND COMPANY HYUNDAI DIVISION
BHAIRIDEVARKOPPA
HUBBALLI-580025, DIST: DHARWAD,
BY ITS MANAGING PARTNER,
ARVIND S/O. CHANDRAKANT BELLAD.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED,
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.
3. HUBLI -DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
5. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580001.



6. THE COMMISSIONER
HUBLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI-580001.

...RESPONDENTS

(BY SRI. G.R.GURUMATH, SENIOR COUNSEL FOR
SRI.MALLIKARJUNSWAMY B.HIREMATH, ADV FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2, R3, R4;
SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI. V.M.SHEELVANT, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE RECORDS IN W.P.NO.104025/2016 DATED 22.12.2021, AND AFTER EXAMINING THE SAME,(B) QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.104025/2016.

IN WA NO.100284 OF 2022:

BETWEEN:

THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT. BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR, HOSUR,
HUBBALLI 580021, OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER
AND THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD, DHARWAD-580009.

...APPELLANT

(BY SRI. C. V. ANGADI, ADVOCATE)

AND:

1. DHARWAD, HAVERI, GADAG AND UTTAR KANNADA DISTRICT, CO OPERATIVES MILK PRODUCERS SOCIETIES LTD., LAKAMANAHALLI INDUSTRIAL AREA, P.B. ROAD, VIDYAGIRI DHARWAD -580004, REPRESENTED BY ITS MANAGING DIRECTOR.
2. THE STATE OF KARNATAKA REPRESENTED BY ITS SECRETARY, URBAN DEVELOPMENT DEPARTMENT NO.504, 5TH FLOOR, 4TH GATE, M.S. BUILDING, AMBEDKAR VEEDHI, BENGALURU- 560 001.



3. THE TAHASILDAR
DHARWAD TALUK, DHARWAD -580001.
4. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI 580029, DIST: DHARWAD.
5. KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD, P.B. ROAD, DHARWAD-580009,
BY ITS SECRETARY.

...RESPONDENTS

(BY SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI.V.M.SHEELVANT, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.112263/2017; TO DISMISS W.P. NO.112263/2017.

IN WA NO.100559 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY TO GOVT.,
DEPARTMENT OF URBAN DEVELOPMENT,
VIKASA SOUDHA, BENGALURU- 560001.
2. THE TAHASILDAR
DHARWAD TALUK, DHARWAD -580001.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. DHARWAD, HAVERI, GADAG AND UTTAR KANNADA
DISTRICT, CO OPERATIVES MILK PRODUCERS
SOCIETIES LTD.,
LAKAMANAHALLI INDUSTRIAL AREA,
P.B. ROAD, VIDYAGIRI DHARWAD -580004,
REPRESENTED BY ITS MANAGING DIRECTOR.



2. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI 580029, DIST: DHARWAD-580001.
3. KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD, P.B. ROAD, DHARWAD-580001,
BY ITS SECRETARY.
4. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
SMT. SHARMILA PATIL, ADV. FOR R3;
SRI.V.M.SHEELVANT, ADV. FOR R2;
SRI.C.V.ANGADI, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 112263/2017.

IN WA NO.100066 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ: HUBBALLI,
DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
AMBEDKAR VEEDHI,
BENGALURU 5600001.
2. THE TAHASILDAR
DHARWAD TALUK,
DHARWAD-580001.
3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD-580001.



4. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
P.B.ROAD, DHARWAD-580001,
BY ITS SECRETARY.
5. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B. ROAD,
DHARWAD-580009.
6. DHARWAD, HAVERI, GADAG AND UTTAR KANNADA DISTRICT
CO-OPERATIVE MILK PRODUCERS SOCIETIES LTD.,
LAKMANAHALLI INDUSTRIAL AREA,
P.B.ROAD, VIDYAGIRI, DHARWAD -580004,
REPRESENTED BY ITS MANAGING DIRECTOR.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2)
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R6;
SMT. SHARMILA PATIL, ADV. FOR R4;
SRI.V.M.SHEELVANT, ADV. FOR R3;
SRI.C.V.ANGADI, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.112263/2017, BY DISMISSING THE WRIT PETITION, IN THE
INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100124 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD MUNICIPAL CORPORATION HUBBALLI,
BY ITS COMMISSIONER,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. DHARWAD, HAVERI, GADAG AND UTTAR KANNADA DISTRICT
CO-OPERATIVE MILK PRODUCERS
SOCIETIES LTD.,
LAKAMANAHALLI INDUSTRIAL AREA,
P.B.ROAD, VIDYAGIRI DHARWAD -580004,
REPRESENTED BY ITS MANAGING DIRECTOR.



2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.
3. THE TAHASILDAR
DHARWAD TALUK, DHARWAD.
4. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
P.B. ROAD, DHARWAD, BY ITS SECRETARY.
5. THE SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P. B. ROAD,
DHARWAD -09.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3)
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
SMT. SHARMILA PATIL, ADV. FOR R4;
SRI.C.V.ANGADI, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.112263/2017 (LA-RES), IN THE INTEREST OF JUSTICE AND
EQUITY.

IN WA NO.100315 OF 2022:

BETWEEN:

HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TAL. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY TO URBAN DEVELOPMENT
DEPARTMENT, 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, BENGALURU-01.
2. HUBBALLI DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DHARWAD, TAL. AND DIST. DHARWAD-580001.



3. THE ASSISTANT COMMISSIONER AND
SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAIPUR, DHARWAD,
TAL. AND DIST. DHARWAD-580001.
4. THE COMMISSIONER
HUBBALLI- DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TQ. AND DIST. DHARWAD-580001.
5. THE TAHASHILDHAR
DHARWAD, TAL. AND DIST. DHARWAD-580001.
6. M.R. SATHAYANARAYAN AKALWADI
AGE. 79 YEARS, OCC. BUSINESS,
R/O. LAKAMANAHALLI, DHARWAD,
TQ. AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R5;
SRI.V.M.SHEELVANT, ADV. FOR R4;
SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI.SHIVARAJ S. BALLOLI, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, MAY KINDLY BE
PLEASED TO ALLOW THIS APPEAL AND SETASIDE THE JUDGMENT AND
ORDER DATED 22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN
WRIT PETITION NO. 103019/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100317 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, POST. VIDYANAGAR,
HOSUR, HUBBALLI 580021,
TALUK. HUBALLAI, DIST. DHARWAD,
THE SPECIAL LAND ACQUISITION OFFICER
KRDCL, RAYAPUR DHARWAD,
TAL. AND DIST: DHARWAD.
2. HUBBALLI DHARWAD BRIS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD, POST. VIDYANAGAR,
HOSUR, HUBBALLI -580021,
TALUK. HUBBALLI, DIST. DHARWAD,
HUBLI DHARWAD BRTS COM. LTD,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD, TAL. AND DIST: DHARWAD.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. M.R. SATHYANARAYAN AKALWADI
AGED. 85 YEARS, OCC. BUSINESS,
R/O. LAKAMANAHALLI, DHARWAD,
DIST. DHARWAD.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4 GATE,
M.S. BUILDING, BENGALURU -560001.
3. THE DEPUTY DIRECTOR TOWN PLANNING
HUBBALLI -DHARWAD MAHANAGAR PALIKE,
DHARWAD -580001,
TAL. AND DIST. DHARWAD- 580001.
4. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD- 580001.
5. THE TAHASILDAR, DHARWAD,
TAL. AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R5;
SRI.V.M.SHEELVANT, ADV. FOR R3;
SRI.SHIVARAJ S. BALLOLI, ADV. FOR R1;
SRI. B. SHARANABASAWA, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT MAY BE PLEASED TO,A)
ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-
2021 PASSED IN WP NO. 103019/2016 (LA-RES); TO DISMISS WP NO.
103019/2016 (LA-RES).



IN WA NO.100331 OF 2022:

BETWEEN:

HUBLI- DHARWAD MUNICIPAL CORPORATION
HUBBALLI-580001, BY ITS COMMISSIONER,
BY ITS AUTHORIZED OFFICER,
SAVITA PATIL, LAW OFFICER.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. M.R. SATHAYANARAYAN AKALWADI
AGE. 79 YEARS, OCC. BUSINESS
R/O. LAKAMANAHALLI, DHARWAD,
DIST. DHARWAD-580001.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, BENGALURU-01.
3. HUBLI -DHARWAD BRTC COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
DHARWAD, TAL. AND DIST. DHARWAD-580001.
4. THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAIPUR, DHARWAD,
TAL. AND DIST. DHARWAD-580001.
5. HUBLI URBAN DEVELOPMENT AUTHORITY
REP BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD-580001.
6. THE TAHASHILDAR
DHARWAD,
TAL. AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R3 AND R4;
SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R6)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.103019/2016 (LAC), IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100502 OF 2022:

BETWEEN:

1. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT
504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, BENGALURU-560001.
2. THE TAHSILDAR, DHARWAD,
TAL AND DIST: DHARWA-580001.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. M.R.SATHYANARAYAN AKALWADI
AGED 85 YEARS, OCC: BUSINESS,
R/O: LAKAMANAHALLI, DHARWAD,
DIST. DHARWAD-580112.
2. HUBBALLI-DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
2ND FLOOR, B.BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR
HUBBALLI 580021, TALUK: HUBBALLI
DIST: DHARWAD.
3. THE ASSISTNAT COMMISSIONER AND
THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD., 2ND
FLOOR, B BLOCK, NWKRTC NEW DEPOT BUILDING, NEW
COURT ROAD, PO. VIDYANAGAR HOSUR,
HUBBALLI- 580021, TALUK. HUBBALLI, DIST -DHARWAD.



4. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
DHARWAD-580001,
TAL AND DIST: DHARWAD -580001.

5. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP BY ITS COMMISSIONER, NAVANAGAR,
TAL: HUBBALLI, DIST. DHARWAD -580001.

...RESPONDENTS

(BY SRI. SHIVARAJ S. BALLOLI, ADVOCATE FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R4;
SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI. B.SHARANABASAVA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, CALL FOR THE RECORDS IN W.P.NO.103019/2016 (LAC) AND 21.12.2021 AND AFTER EXAMINING THE SAME; QUASH THE IMPUGNED ORDER DATED 21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.103019/2016 (LAC).

IN WA NO.100464 OF 2022:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER
ASSISTANT COMMISSIONER LAND ACQUISITION,
KARNATAKA ROAD DEVELOPMENT CORPORATION LIMITED,
BRTS OFFICE, RAYAPUR,
TQ. AND DIST. DHARWAD.
2. HUBLI DHARWAD BRTS COMPANY LIMITED
HUBLI DHARWAD, REP. BY ITS MANAGING DIRECTOR,
DHAWAD, TQ. AND DIST. DHARWAD.
3. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBLI DHARWAD MAHANAGAR PALIKE,
TQ. AND DIST. DHARWAD.



4. SMT. PARVATEVVA W/O. BASAPPA AMINGAD
AGED ABOUT 80 YEARS,
OCC. HOUSEHOLD WORK,
R/O. RAM NAGAR, 1ST CROSS,
OM BUILDING, TQ. AND DIST. DHARWAD.
5. SHIVALINGAPPA S/O. BASAPPA AMINGAD
AGED ABOUT 59 YEARS,
OCC. BUSIENSS, R/O. RAM NAGAR,
1ST CROSS, OM BUILDING,
TQ. AND DIST. DHARWAD.
6. RAJASHEKAR S/O. BASAPPA AMINGAD
AGE. 57 YEARS, OCC. BUSINESS,
R/O. RAM NAGAR, 1ST CROSS,
OM BUILDING, TQ. AND DIST. DHARWAD.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R1 AND R2;
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R7;
SRI.SHIVARAJ S.BALLOLI, ADV. FOR R4 TO R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.100431-435/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100478 OF 2022:

BETWEEN:

HUBLI DHARWAD MUNICIPAL CORPORATION
HUBALI, DIST. DHARWAD,
BY ITS COMMISSIONER.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)

AND:

1. SMT. PARVATEVVA W/O. BASAPPA AMINGAD
AGED. 80 YEARS, OCC. HOUSEHOLD WORK,
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING
TQ. AND DIST DHARWAD.



2. SHIVALINGAPPA S/O. BASAPPA AMINGAD
AGED. 59 YEARS, OCC. BUSINESS
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING,
TQ. AND DIST DHARWAD.
3. RAJSHEKAR S/O. BASAPPA AMINGAD
AGED. 53 YEARS, OCC. BUSINESS,
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING,
TQ. AND DIST DHARWAD.
4. THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER (LAND ACQUISITION),
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
BRTS OFFICE, RAYAPUR, TQ AND DIST DHARWAD.
5. HUBBALLI-DHARWAD BRTS COMPANY LTD
HUBBALLI DHARWAD,
REP BY ITS MANAGING DIRECTOR DHARWAD
TQ AND DIST DHARWAD.
6. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGARPALIKE,
DHARWAD, TQ AND DIST. DHARWAD.
7. HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP BY ITS COMMISSIONER,
NAVANAGR, TQ. HUBBALLI, DIST. DHARWAD.
8. THE DEPUTY COMMISSIONER
DHARWAD, DIST: DHARWAD.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R7;
SRI.C.V.ANGADI, ADV. FOR R4 AND R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R8)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, THE APPELLANT
MOST RESPECTFULLY PRAYS THAT THIS HON BLE COURT BE PLEASED TO
ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED.22.12.2021 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P. NOS.100431-100435/2016 (LA-RES).

IN WA NO.100151 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALLI, DIST. DHARWAD,
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER (LAND ACQUISITION)
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
BRTS OFFICE, RAYAPUR, TAL AND DHARWAD.

2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD,
DHARWAD-580009.
OLD ADDRESS:
HUBBALLI - DHARWAD BRTS COMPANY LTD,
HUBLI DHARWAD, REP. BY ITS MANAGIN DIRECTOR,
DHARWAD, TAL AND DHARWAD.

...APPELLANTS

(BY SRI. C.V. ANGADI, ADVOCATE)

AND:

1. SMT. PARVATEVVA W/O. BASAPPA AMINGAD
AGED. 79 YEARS, OCC. HOUSEHOLD WORK,
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING
TQ. AND DIST DHARWAD-580001.
2. SHIVALINGAPPA S/O. BASAPPA AMINGAD
AGED. 58 YEARS, OCC. BUSINESS,
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING,
TQ. AND DIST DHARWAD-580001.
3. RAJSHEKHAR BASAPPA AMINGAD
AGED. 58 YEARS, OCC. BUSINESS,
R/O.RAM NAGAR, 1ST CROSS, OM BUILDING,
TQ. AND DIST DHARWAD-580001.
4. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGARA PALIKE,
DHARWAD-580008, TQ AND DIST. DHARWAD.
5. HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP BY ITS COMMISSIONER,
NAVANAGR, TQ. HUBBALLI-580025,
DIST. DHARWAD.



6. THE DEPUTY COMMISSIONER
DHARWAD,
DIST: DHARWAD-580001.

...RESPONDENTS

(BY SRI.NANDISH PATIL, ADV. FOR C/R1 TO C/R3;
SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI. B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET-ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.100431-100435/2016(LA-RES).

IN WA NO.100453 OF 2022:

BETWEEN:

HUBBALLI -DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER
ASSISTANT COMMISSIONER LAND ACQUISITION,
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
TQ. AND DIST. DHARWAD-580021.
2. HUBLI DHARWAD BRTS COMPANY LTD.,
HUBLI DHARWAD,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD-580021.
3. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI DHARWAD MAHANAGAR PALIKE,
DHARWAD, TQ. AND DIST. DHARWAD-580021.
4. THE MEMBER OF TOWN PLANNING
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI, DIST. DHARWAD-580021.
5. SMT. NAGARATNAMMA
W/O. CHANDRASHEKAR AMINGAD,



AGED ABOUT 73 YEARS,
OCC. HOUSEHOLD WORK,
R/O. SUBHASH ROAD,
AMINGAD AGENCY,
TQ. AND DIST. DHARWAD-580021.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R1;
SRI. V.M.SHEELVANT, ADV. FOR R2;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.101172/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100074 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION
HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)

AND:

1. SMT NAGARATNAMMA
W/O. CHANDRASHEKAR AMINGAD,
AGED 73 YEARS,
OCC. HOUSEHOLD WORK,
R/O. SUBASH ROAD,
AMINGAD AGENCY,
TQ. DIST: DHARWAD-580001.
2. THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER,
(LAND ACQUISITION),
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
BRTS OFFICE, RAYAPUR,
TQ. DIST: DHARWAD-580001.



3. HUBBALLI-DHARWAD BRTS CO. LTD.,
HUBBALLI –DHARWAD,
REPRESENTED BY
ITS MANAGING DIRECTOR,
DHARWAD, TQ.
DIST: DHARWAD-580001.
4. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGAR PALIKE,
DHARWAD, TQ. DIST: DHARWAD -580001.
5. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. DIST.
DHARWAD-580001.
6. THE MEMBER OF TOWN PLANNING
HUBLI DHARWAD URBAN DEVELOPMENT AUTHORITY,
HUBBALLI, DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R4 TO R6;
SRI. C.V.ANGADI, ADV. FOR R2 AND R3;
R1-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.101172/2016 (LA-RES), IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100110 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALLI, DIST. DHARWAD,
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER (LAND ACQUISITION),
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
BRTS OFFICE, RAYAPUR,
TAL AND DHARWAD.



2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD,
OLD ADDRESS:
HUBBALLI - DHARWAD BRTS COMPANY LTD,
HUBLI DHARWAD, REP. BY ITS MANAGIN DIRECTOR,
DHARWAD, TAL AND DHARWAD.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SMT. NAGARATNAMMA
W/O. CHANDRASHEKAR AMINGAD,
AGED. 72 YEARS, OCC. HOUSEHOLD WORK,
R/O. SUBHASH ROAD, AMINGAD AGENCY,
TQ. DIST. DHARWAD -580004.
2. THE DEPUTY DIRECTOR OF TOWN PLANNING,
HUBBALLI DHARWAD MAHANAGARA PALIKE,
DHARWAD, TQ. AND
DIST. DHARWAD-580001.
3. HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHOITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI -580025,
DIST: DHARWAD.
4. THE MEMBER OF TOWN PLANNING,
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI,
DIST.DHARWAD -580025.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R2;
SRI. B.SHARANABASAWA, ADV. FOR R3 AND R4;
SRI. SHIVARAJ S. BALLOLI, ADV. FOR R1)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.NO.101172/2016 (LA-RES); TO DISMISS W.P.NO.101172/2016 (LA-RES).



IN WA NO.100462 OF 2022:

BETWEEN:

HUBBALLI- DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 4TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU -01.
2. HUBBALLI DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD-580001.
3. THE ASSISTANT COMMISSIONER AND SPECIAL AND
ACQUISITION OFFICER, KRDC, RAYAPUR,
DHARWAD, TQ. AND DIST. DHARWAD-580001.
4. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI DHARWAD MAHANAGAR PALIKE,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD 580001.
5. DEEPAK S/O. SRIKANT GAONKAR
AGED ABOUT 54 YEARS, OCC. BUSINESS,
R/O. OPP. MODERN HALL,
P.B.ROAD, DHARWAD,
DIST. DHARWAD-580009.
6. THE TAHASILDAR, DHARWAD
TQ. AND DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R6;
SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI. V.M.SHEELVANT, ADV. FOR R4;
R5-SERVED)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.102904/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100521 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
ASSISTANT COMMISSIONER AND
THE SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAYAPUR, DHARWAD,
TAL AND DHARWAD-580001.
2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
HUBBALLI - DHARWAD BRTS COMPANY LTD,
REP. BY ITS MANAGIN DIRECTOR,
DHARWAD, P.B.ROAD, DHARWAD-580001.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. DEEPAK S/O. SHRIKATN GAONKAR
AGED 53 YEARS, OCC. BUSINESS,
R/O MODERN HALL, P.B. ROAD
DHARWAD DIST. DHARWAD.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO URBAN
DEVELOPMENT DEPARTMENT,
504 5TH FLOOR, 4TH GATE, M.S. BUILDING,
BENGALURU -560001.



NC: 2023:KHC-D:12094-DB
**WA No. 100266 of 2022 AND
CONNECTED MATTERS**

3. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWD MAHANAGAR PALIKE,
DHARWAD-560001, TAL. AND DIST. DHARWAD.
4. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP BY ITS COMMISSIONER,
NAVANAGAR TAL. HUBBALLI,
DIST. DHARWAD 580001.
5. THE TAHASILDAR
DHARWAD, TAL. AND DIST. DHARWAD 580001.

...RESPONDENTS

(BY SRI.B.SHARANABASAWA, ADV. FOR R4;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R5;
SRI. V.M.SHEELVANT, ADV. FOR R3;
R1-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO. 102904/2016 (LA-RES); TO DISMISS W.P. NO. 102904/2016 (LA-RES).

IN WA NO.100537 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REP. BY THE SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
VIKASA SOUDHA, BENGALURU-560001.
2. THE TAHSILDAR,
DHARWAD.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. DEEPAK S/O. SHRIKATN GAONKAR
AGED 53 YEARS, OCC. BUSINESS,
R/O MODERN HALL, P.B. ROAD
DHARWAD DIST. DHARWAD.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRIS COMPANY LTD.,
2ND FLOOR, B BLOCK,
HOSUR INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,



HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI,
DIST: DHARWAD.

3. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/ HDBRTS, 2 FLOOR,
B BLOCK, NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
4. DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI- DHARWAD MAHANAGARA PAILIKE
DHARWAD-580001, TAL. DIST: DHARWAD.
5. THE COMMISSIONER
HUBBALLI- DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVAGARA HUBBALLI-580025,
TALUK: HUBBALLI.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI. B.SHARNABASAWA, ADV. FOR R5;
SRI.V.M.SHEELVANT, ADV. FOR R4;
R1-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE
RECORDS IN W.P.NO.102904/2016 (LAC) DATED 22.12.2021, AND AFTER
EXAMINING THE SAME.(B) QUASH THE IMPUGNED ORDER DATED
21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.102904/2016 (LAC).

IN WA NO.100081 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. DEEPAK S/O. SHRIKANT GAONKAR
AGED. 54 YEARS, OCC. BUSINESS
R/O. OPP. MODERN HALL, P.B.ROAD,
DHARWAD, DIST. DHARWAD -580001.



2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.
3. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD -580009.
4. THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER
KRDCL, RAYAPUR, DHARWAD,
TQ. DIST. DHARWAD -580001.
5. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI –DHARWAD MAHANAGAR PALIKE,
DHARWAD, TQ. DIST. DHARWAD -580001.
6. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY COMMISSIONER,
NAVANGAR, TQ. AND DIST. DHARWAD-580001.
7. THE TAHASILDAR, DHARWAD,
TQ AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R7;
SRI. C.V.ANGADI, ADV. FOR R3 AND R4;
SRI. B.SHARANABASAWA, ADV. FOR R5 AND R6;
R1-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON'BLE COURT TO, PLEASED TO ALLOW THE APPEAL
AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED
SINGLE JUDGE IN W.P.NO.102904/2016 (LA-RES), IN THE INTEREST OF JUSTICE
AND EQUITY.

IN WA NO.100465 OF 2022:

BETWEEN:

HUBBALLI - DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO URBAN
DEVELOPMENT DEPARTMENT,
504, 4TH FLOOR, 4TH GATE,
M. S. BUILDING, BENGALURU -560001.
2. HUBBALLI DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD.
3. THE ASSISTANT COMMISSIONER AND
SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAYAPUR, DHARWAD,
TQ. AND DIST. DHARWAD -580001.
4. THE COMMISSIONER,
HUBLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TQ. AND DIST. DHARWAD 580001.
5. THE TAHASHILDAR DHARWAD
TQ. AND DIST. DHARWAD-580001.
6. TARIQ S/O. HABIBULLA KHAN PATHAN
AGED ABOUT 47 YEARS,
OCC. BUSIENSS, R/O. LAKMANAHALLI,
DHARWAD, DIST. DHARWAD -580001.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R5;
SRI. C.V.ANGADI, ADV. FOR R2 AND R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS
AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE
PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND
ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.102905/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100472 OF 2022:

BETWEEN:

HUBLI -DHARAD MUNICIPAL CORPORATION
BY ITS COMMISSIONER, HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)



AND:

1. TARIQ S/O. HABIBULLAKHAN PATHAN
AGED. 43 YEARS, OCC. BUSINESS,
R/O. LAKMAHALLI, DHARWAD,
DIST. DHARWAD-580001.
2. STATE OF KARNATAKA,
R/BY SECRETARY TO URBAN
DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, BENGALURU-01.
3. HUBLI-DHARWAD BRTS COMPANY LTD.,
R/BY ITS MANAGING DIRECTOR
DHARWAD, TAL. AND DIST. DHARWAD-580001.
4. THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER,
KRDCL RAIPUR, DHARWAD,
TAL. AND DIST. DHARWAD-580001.
5. HUBLI URBAN DEVELOPMENT AUTHORITY,
R/BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD-580001.
6. THE TAHASILDAR, DHARWAD,
TAL. AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R6;
SRI.C.V.ANGADI, ADV. FOR R3 AND R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, THE
APPELLANT MOST RESPECTFULLY PRAY THAT THE HON BLE COURT
BE PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER
DATED.22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.
NO.102905/2016 (LAC).



IN WA NO.100497 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS: ASSISTANT COMMISSIONER AND
THE SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAYAPUR, DHARWAD,
TAL AND DHARWAD-580001.
 2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS: HUBBALLI - DHARWAD BRTS COMPANY LTD,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD, P.B.ROAD, DHARWAD-580001.
- ...APPELLANTS
- (BY SRI. C.V. ANGADI, ADVOCATE)

AND:

1. TARIQ S/O. HABIBBULLAKHAN PATHAN
AGED 46 YEARS, OCC. BUSINESS
R/O. LAKAMANAHALLI, DHARWAD,
DIST. DHARWAD -580001.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE, M.S. BUILDING,
BENGALURU- 560001.
3. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGAR PALIKE,
DHARWAD 580001, TAL AND DIST. DHARWAD.
THE COMMISSIONER
HUBLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TAL AND DIST: DHARWAD-580001.



4. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD 580001.
5. THE TAHASILDAR, DHARWAD,
TAL AND DIST. DHARWAD 580001.

...RESPONDENTS

(BY SRI.VIJAY M.MALALI, ADV. FOR R1;
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI. B.SHARANABASAWA, ADV. FOR R4;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO.102905/2016(LA-RES).(B) TO DISMISS W.P.NO.102905/2016(LA-RES).

IN WA NO.100561 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REP. BY THE SECRETRAY
TO URBAN DEVELOPMENT DEPARTMENT,
VIKAS SOUDHA, BENGALURU-560001.
2. THE TAHASHILDAR
DHARWAD.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. TARIQ S/O. HABIBBULLAKHAN PATHAN
AGED 46 YEARS, OCC. BUSINESS
R/O. LAKAMANAHALLI, DHARWAD,
DIST. DHARWAD -580001.
2. MANAGING DIRECTOR
HUBBALLI- DHARWAD BRTC COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.



3. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/HDBRTS,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021,
TALUK: HUBBALLI,
DIST: DHARWAD.
4. DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGARA PALIKE,
DHARWAD-580001, TAL
DIST: DHARWAD.
5. THE COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR HUBBALLI-580025,
TALUK: HUBBALLI.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R2 AND R3;
SRI.B.SHARANABASAWA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, A) CALL FOR THE RECORDS IN W.P. NO. 102905/2016 (LAC) DATED 22.12.2021 AND AFTER EXAMINING THE SAME.B) QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 102905/2016(LAC).

IN WA NO.100512 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR ,4TH GATE,
M.S. BUILDING,
AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE TAHSILDAR
DHARWAD TALUK, DHARWAD.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV)



AND:

1. M/S KARNATAKA INDUSTRIAL GASES PVT. LTD.,
PLOT NO. 1 SATTUR VILLAGE,
DHARWAD, REPRESENTED BY ITS CHAIRMAN,
AGE: 51 YEARS, OCC: BUSINESS, R/O. PLOT NO.1,
SATTUR VILLAGE, DHARWAD-580009.
2. THE COMMISSIONER
DIRECTORATE OF URBN LAND TRANSPORT
URBAN DEVELOPMENT BMTc TIMC 'B' BLOCK,
4TH FLOOR,
SHANTINAGAR, K.H.ROAD,
BENGALURU-560002.
3. THE MEMBER
TOWN PALNNING HUBLI
DHARWAD URBAN DEVELOPMENT AUTHORITY,
NAVANAGAR,
HUBBALLI-580025, DIST: DHARWAD.
4. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION
HUBBALLI-580029, TALUK: HUBBALLI,
DIST: DHARWAD.
5. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
P.B.ROAD, DHARWAD-580009,
BY ITS SECRETARY.
6. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR RAJKUMAR RD,
RAJAJINAGAR,
BENGALURU,
KARNATAKA-560010.
7. MANAGING DIRECTOR
HUBBALLI- DHARWAD BRTC COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD,
PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021,
TALUK: HUBBALLI,
DIST: DHARWAD.



8. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/HDBRTS,
2ND FLOOR, B BLOCK,
NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
9. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
R2-SERVED;
SMT. SHARMILA PATIL, ADV. FOR R5;
SRI.C.V.ANGADI, ADV. FOR R4, R6 TO R9;
SRI. B.SHARANABASAWA, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103319/2016 (LA-RES).

IN WA NO.100443 OF 2022:

BETWEEN:

THE MEMBER
TOWN PLANNING, HUBALLI- DHARWAD URBAN
DEVELOPMENT AUTHORITY,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD -580001,
NOW REP. BY ITS COMMISSIONER.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
AMBEDKAR VEEDHI, BANGALORE 560001.



2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTCL, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD,
BENGALURU -560 002.
3. THE TAHASILDAR
DHARWAD TALUK, DHARWAD.
4. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
5. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
B.P. ROAD, DHARWAD, BY ITS SECRETARY.
6. CHIEF ENGINEER
KRDCL NO.16, J. MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BANGALORE -560002.
7. MANAGING DIRECTOR
HUBBALLI -DHARWAD BRTS CO.LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P. B. ROAD, DHARWAD-580009.
8. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD, DHARWAD -580009.
9. EXECUTIVE ENGINEER
KRDCL, NO.16, 3RD MAIN ROAD,
DOLLARS COLONY, NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBLI.
10. M/S. KARNATAKA INDUSTRIAL GASES PVT. LTD.,
PLOT NO.1, SATTUR VILLAGE,
DHARWAD, REPRESENTED BY ITS CHAIRMAN,
SHRI RAVINDRAGOUDA S/O. NARAYANAGOUDA ODUGOUDAR,
AGED ABOUT 51 YEARS,
OCC. BUSINESS, R/O. PLOT NO.1,
SATTUR VILLAGE, DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R3;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R10;
R2-SERVED; SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI.C.V.ANGADI, ADV. FOR R6 TO R9)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE FOR THE REASONS AND GROUNDS STATED ABOVE THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103319/2016, BY DISMISSING THE WRIT PETITION.

IN WA NO.100108 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)

AND:

1. M/S. KARNATAKA INDUSTRIAL GAGES PVT. LTD.
PLOT NO. 1 SATTUR VILLAGE, DHARWAD.
REPRESENTED BY ITS CHAIRMAN
RAVINDRAGOUDA S/O. NARAYANGOUDA
ODUGOUDAR, AGE. 51 YARS,
OCC. BUSIENSS, R/O. PLOT NO.1,
SATTUR VILLAGE, DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU-560001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K. H. ROAD,
BENGALURU -560002.
4. THE TAHSILDAR, DHARWAD,
TQ. DIST. DHARWAD 580001.
5. THE MEMBER TOWN PLANNING
HUBALLI URBAN DEVELOPMENT AUTHORITY,
NAVANGAR, TQ. DIST. DHARWAD -580001.



6. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD, REPRESENTED BY ITS SECRETARY, P B ROAD, DHARWAD- 580001.
7. CHIEF ENGINEER KRDCL NO. 16, J MILLER TANK BED AREA, TMMYYA ROAD CROSS, BENGALURU- 560002.
8. MANAGING DIRECTOR HUBBALLI DHARWAD BRTS CO. LTD., 1ST FLOOR, KSFC BUILDING, RAYAPUR, P B ROAD, DHARWAD -580009.
9. SPL. LAND ACQUISITION OFFICER AND THE ASSISTANT COMMISSIONER, KRDCL, HDBRTSC OFFICE, 1ST FLOOR, KSFC BUILDING RAYAPUR, P B ROAD, DHARWAD -580009.
10. EXECUTIVE ENGINEER KRDCL, NO.16, 3RD MAIN ROAD, DOLLARS COLONY, NEAR VASTALLYA HOSPITAL, GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI.B.SHARANABASAWA, ADV. FOR R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
SMT. SHARMILA M.PATIL, ADV. FOR R6;
SRI.C.V.ANGADI, ADV. FOR R7 TO R10)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT MAY BE PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 103319/2016 (LARES).

IN WA NO.100301 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER KARNATAKA ROAD DEVELOPMENT CORPORATION LTD., 2ND FLOOR, B BLOCK, NWKRTC NEW DEPOT BUILDING, NEW COURT ROAD, PO. VIDYANAGAR, HOSUR, HUBBALLI-580021, TALUK. HUBBALLI, DIST. DHARWAD, OLD ADDRESS:



ASSISTANT COMMISSIONER AND
THE SPECIAL LAND ACQUISITION OFFICER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD, DHARWAD- 09.

2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD,
OLD ADDRESS:
MANAGING DIRECTOR
1ST FLOOR, KSFC BUILDING,
RAYAPUR,
P.B.ROAD,
DHARWAD- 580009.

...APPELLANTS

(BY SRI. C. V.ANGADI, ADVOCATE)

AND:

1. M/S. KARNATAKA INDUSTRIAL GASES PVT. LTD.,
PLOT. NO.1, SATTUR VILLAGE,
DHARWAD,
REPRESENTED BY ITS CHAIRMAN,
RAVINDRA GOUDA
S/O. NARAYAN GOUDA,
AGE: 51 YEARS,
OCC. BUSINESS,
R/O. PLOT NO.1, SATTUR VILLAGE,
DHARWAD-580009.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGAURU-560001.
3. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTCTIMS, B'BLOCK,
4TH FLOOR, SHANTINAGAR,
K.H. ROAD,
BENGALURU-560002.



4. THE TAHASILDAR
DHARWAD TALUKA, DHARWAD-580001.
5. THE MEMBER, TOWN PLANNING,
HUBBALLI DHARWAD URBAN DEVELOPMENT AUTHORITY,
NAVANAGAR, HUBBALLI-580025.
DIST. DHARWAD.
6. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION HUBBALLI-
580029, TALUK. HUBBALLI,
DIST. DHARWAD.
7. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
P.B. ROAD, DHARWAD-580009,
BY IT SECRETARY.
8. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU, KARNATAKA-560010,
OLD ADDRESS:
CHIEF ENGINEER,
KRDCL NO.16, J. MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.
9. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R6;
SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 TO R4;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
SMT. SHARMILA M.PATIL, ADV. FOR R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND ST ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.103319/2016 (LA-RES)(B) TO DISMISS WP NO.103319/2016(LA-RES).



IN WA NO.100420 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B.SHARANABASAWA, ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION
LTD., HDBRTS, DHARWAD-580001.
2. THE KARNATAKA ROAD DEVELOPMENT BOARD
DEPARTMENT OF PUBLIC WORKS,
PORT, INTERIOR TRANSPORT,
NO.16/J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE -560052,
BY ITS CHIEF ENGINEER.
3. THE STATE OF KARNATAKA
DEPARTMENT OF PUBLIC WORKS,
PORTS, INTERIOR WATER TRANSPORT,
VIKAS SOUDHA, BENGALURU-560056,
REP. BY ITS SECRETARY.
4. DEPUTY COMMISSIONER
DHARWAD, DIST. DHARWAD-580001.
5. SRI. SHASHIDHAR S/O. NARAYAN SHETTY
AGED ABOUT 67 YEARS, OCC. NOT KNOWN,
R/O. NEAR SAPTAPUR BHAVI,
SAPTAPUR, DHARWAD,
TQ. AND DIST. DHARWAD-580001.
6. SMT. ASHALATA W/O. SHASHIDHAR SHETTY
AGED ABOUT 63 YERS,
OCC. NOT KNOWN, R/O. NEAR SAPTAPUR BHAVI,
SAPTAPUR, DHARWAD,
TQ. AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3 AND R4;
SRI. C.V.ANGADI, ADV. FOR R1 AND R2;
SRI.J.S.SHETTY, ADV. FOR R5 AND R6)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, PLEASED TO ALLOW THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103380/2016, BY DISMISSING THE WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100466 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
(DEPARTMENT OF PUBLIC WORKS,
PORTS, INTERIOR, WATER TRANSPORT)
VIKAS SOUDHA, BENGALURU- 560 001,
BY ITS SECRETARY.
2. THE DEPUTY COMMISSIONER
DHARWAD, DHARWAD -580004.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SRI. SHASHIDHAR S/O. NARAYAN SHETTY
AGED 67 YEARS,
R/O. NEAR SAPTAPURA BHAVI,
SAPTAPURA, DIST.
DHARWAD-580004.
2. SRI. ASHALATA W/O. SHASHIDHAR SHETTY
AGE. 58 YEARS,
R/O. NEAR SAPTAPURA BHAVI,
SAPTAPURA, DIST: DHARWAD – 580004.
3. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LIMITED
/HDBRTS, DHARWAD – 580004.
4. THE KARNATAKA ROAD DEVELOPMENT BOARD
(DEPARTMENT OF PUBLIC WORKS,
PORTS, INTERIOR, TRANSPORT),
NO.16/J, MILLAR TANK, BED AREA,
THIMAYYA ROAD CROSS,
BENGALURU - 560052,
BY ITS CHIEF ENGINEER.



5. THE HUBBALLI DHARWAD DEVELOPMENT
AUTHORITY, NAVANAGAR, HUBBALLI- 580025,
DIST: DHARWAD, BY ITS COMMISSIONER.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R5;
SRI. C.V.ANGADI, ADV. FOR R3 AND R4;
SRI. J.S.SHETTY, ADV. FOR R1 AND R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE THE
APPELLANTS STATE PRAYS THAT THIS HON BLE COURT MAY BE
PLEASED TO, CALL FOR THE RECORDS IN W.P.NO.103380/2016 DATED
22.12.2021 AND AFTER EXAMINING THE SAME; QUASH THE IMPUGNED
ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P. NO.103380/2016 AND GRANT SUCH OTHER RELIEFS AS THIS HON
BLE COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE
CASE.

IN WA NO.100484 OF 2022:

BETWEEN:

THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD, 2ND
FLOOR, B BLOCK, NWKRTC NEW DEPOT BUILDING, NEW
COURT ROAD, PO. VIDYANAGAR,
HOSUR HUBBALLI -580021,
TALUK HUBBALLI, DIST. DHARWAD.
THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION
LTD., HDBRTS, DHARWAD-580009.

...APPELLANT

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SRI. SHASHIDHAR
S/O. NARAYAN SHETTY
AGE. 66 YEARS, OCC. NOT KNOWN,
R/O. NER SAPTAPUR BHAVI SAPTAPUR,
DHARWAD- 580004, TAL . DIST.DHARWAD.
2. SMT. ASHALATA W/O. SHASHIDHAR SHETTY
AGE: 62 YEARS, OCC. NOT KNOWN,
R/O. NEAR SAPTAPUR BHAVI, SAPTAPUR,
DHARWAD -580004, TAL. DIST.DHARWAD.
3. THE KARNATAKA ROAD DEVELOPMENT CORPORATION
LTD., (DEPARTMENT OF PUBLIC WORKS,
PORTS, INTERIOR TRANSPORT)



KRDCL LIMITED, NO.16,
2 ND FLOOR, SAMPARKA SOUDHA,
OPP.ORION MALL, DR.RAJKUMAR ROAD,
RAJAJINAGAR, BENGALURU, KARNATAKA 560010.
THE KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
(DEPARTMENT OF PUBLIC WORKS, PORTS,
INTERIOR TRANSPORT)
1ST FLOOR, KSFC BUILDING, P.B.ROAD,
RAYAPUR, DHARWAD-580009.

4. THE STATE OF KARNATAKA
(DEPARTMENT OF PUBLIC WORKS, PORTS,
INTERIOR WATER TRANSPORT),
VIKAS SOUDHA, BENGALURU -560 001.
5. THE DEPUTY COMMISSIONER
DHARWAD, DIST. DHARWAD-580001.
6. HUBBALLI DHARWAD DEVELOPMENT AUTHORITY
NAVANAGAR, HUBBALLI,
DIST.DHARWAD-580025.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
SRI. B.SHARANABASAWA, ADV.FOR R6;
R3-NOTICE DISPENSED WITH;
SRI.J.S.SHETTY, ADV. FOR R1 AND R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO. 103380/2016 (LA-RES).B) TO DISMISS WP NO. 103380/2016 (LA-RES).

IN WA NO.100051 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)



AND:

1. SRI. SHASHIDAR S/O. NARAYAN SHETTY
AGED 67 YEARS, R/O. NEAR SAPTAPUR BHAVI
SAPTAPUR, DHARWAD-580001.
2. SHRI. ASHALATA W/O. SHASHIDHAR SHETTY
AGED 63 YEARS, R/O. NEAR SAPTAPUR BHAVI,
SAPTAPUR, DHARWAD-580001.
3. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LIMITED
/HDBRTS DHARWAD-580001.
4. THE KARNATAKA ROAD DEVELOPMENT BOARD
(DEPARTMENT OF PUBLIC WORKS PORTS,
INTERIOR TRANSPORT) NO.16/J,
MILLAR TANK BED AREA, TIMMAYA ROAD CROSS,
BNGALURU BY ITS CHIEF ENGINEER-560001.
5. THE STATE OF KARNATAKA
(DEPARTMENT OF PUBLIC WORKS, PORTS,
INTERIOR TRANSPORT),
VIKAS SOUDHA, BENGALURU-560001,
BY ITS SECRETARY.
6. DEPUTY COMMISSIONER, DHARWAD
DIST. DHARWAD- 580001.
7. HUBBALLI-DHARWAD DEVELOPMENT AUTHORITY
NAVANAGAR, HUBBALLI
DIST. DHARWAD – 580001,
BY ITS COMMISSIONER.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R3 AND R4;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R5 AND R6;
SRI. B.SHARANABASAWA, ADV. FOR R7;
SRI.J.S.SHETTY, ADV. FOR R1 AND R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.103380/2016 (LA-RES), IN THE INTEREST OF JUSTICE AND
EQUITY.



IN WA NO.100017 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REP. BY THE SECRETARY TO GOVT.,
DEPARTMENT OF PUBLIC WORKS, PORTS,
AND INLAND WATER TRANSPORT,
M.S.BUILDING, BENGALURU-560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. M/S. DODWAD REFINERIES PVT. LTD.,
REP. BY ITS MANGING DIRECTOR,
SHRI. SARASANANDA S/O. GURUPUTRA DODWAD,
AGE: 84 YEARS, OCC: BUSINESS,
R/O. VIDYAGIRI, OPP: HESCOM, P.B.ROAD,
DHARWAD-580004.
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.
1ST FLOOR, KSFC BUILDING, RAYAPUR, DHARWAD.
3. THE COMMISSIONER
HUBLLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST: DHARWAD.
4. MANAGING DIRECTOR
HDBRTS. CO, B BLOCK, 2ND FLOOR,
NWKRTC BUS TERMINAL, HOSUR,
HUBBALLI-580021.
5. THE COMMISSIONER
HUBLLI- DHARWAD, URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, DHARWAD-580001.

...RESPONDENTS

(BY SRI. SHIVASAI M.PATIL, ADV. FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2 AND R4;
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI. B.SHARANABASAWA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P. NO. 103447/2016(LA-RES).



IN WA NO.100460 OF 2022:

BETWEEN:

HUBBALLI DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAGANAGAR,
TQ. HUBBALLI, DIST. DHARWAD- 580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT DEPARTMENT,
M S BUILDING, BANGALORE 01.
BY ITS SECRETARY.
2. THE SPECIAL LAND ACQUISITION OFICER
KRDCL., 1ST FLOOR, KSFC BUILDING,
P.R.ROAD, RAYAPUR, DHARWAD-580009.
3. THE COMMISSIONER
HDMC, DHARWAD.
4. HUBBALLI- DHARWAD KRDCL CO. LTD.,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD- 580001.
5. M/S. DODWAD REFINERIES PVT LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
SHRI. SARASANAND S/O. GURUPUTRA DODWAD,
AGED ABOUT 86 YEARS, OCC. BUSINESS,
R/O. VIDYAGIRI, OPP. BUSINESS,
R/O. VIDYAGIRI, OPP HESCOM,
P B ROAD, DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2 AND R4;
SRI.V.M.SHEELVANT, ADV. FOR R3; R5-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS
AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE
PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND
ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.103447/2016 BY DISMISSING THE WRIT PETITION.



IN WA NO.100475 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. M/S. DODWAD REFINERIES PVT LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
SHRI. SARASAMAMD S/O. GURUPUTRADODWAD,
AGED. 72 YEARS, OCC. BUSINESS,
R/O. VIDYAGIRI, OPP HESCOM,
P.B.ROAD, DHARWAD.
2. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS
PORTS AND INLAND WATER TRANSPORT DEPARTMENT
MS BUILDING, BANGALORE-1,
REPRESENTED BY ITS SECRETARY.
3. THE SPECIAL LAND ACQUISITION OFFICER
K.R.D.C.L. 1ST FLOOR, KSFC BUILDING,
PB ROAD, RAYAPUR, DHARWAD – 580009.
4. HUBBALLI- DHARWAD
KRDCL CO. LTD.,
REP. BY ITS MANAGING DIRECTOR,
TQ AND DIST: DHARWAD-580009.
4. THE COMMISSIONER
H.D.U.D.A NAVANAGAR,
DHARWAD- 580009.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.C.V.ANGADI, ADV. FOR R3 AND R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, THE APPELLANT
MOST RESPECTFULLY PRAYS THAT THIS HON BLE COURT BE PLEASED TO
ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED.22.12.2021 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P. NO.103447/2016 (LA-RES).



IN WA NO.100173 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021,
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER
KRDCL., 1ST FLOOR, P.B.ROAD,
RAYAPUR, DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
DHARWAD-580009.
OLD ADDRESS:
HUBBALLI - DHARWAD KRDCL COMPANY LTD,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD TQ AND DIST: 580001.

...APPELLANTS

(BY SRI. C. V. ANGADI, ADVOCATE)

AND:

1. M/S DODWAD REFINERIES PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
SHRI. SARASANAND S/O. GURUPUTRA DODWAD,
AGE: 80 YARS, OCC: BUSINESS,
R/O. VIDYAGIRI, OPP. HESCOM,
P.B. ROAD, DHARWAD- 580004.
2. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER
TRANSPORT DEPARTMENT,
M.S. BUILDING,
BENGALURU -560001.
REP BY ITS SECRETARY.



3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD- 580008.
4. HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, REPRESENTED BY ITS COMMISSIONER,
NAVANAGAR, DHARWAD -580001.

...RESPONDENTS

(BY SRI.R1-SERVED;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.G.I.GACHCHINAMATH, ADV. FOR R3;
SMT. SHARMILA PATIL, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PRAYED THAT THIS HON BLE COURT BE PLEASED CALL TO ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO. 103447/2016 (LA-RES).

IN WA NO.100452 OF 2022:

BETWEEN:

HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO URBAN
DEVELOPMENT DEPARTMENT,
504, 4TH FLOOR, 4TH GATE,
M S BUILDING, BANGALURU- 560001.
2. HUBBALLI DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD -580001.
3. THE ASSISTANT COMMISSIONER AND
SPECIAL LAND ACQUISITION OFFICER,
KRDCL RAYAPUR, DHARWAD,
TQ. AND DIST.
DHARWAD -580001.



4. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TQ. AND DIST. DHARWAD-580001.
5. THE TAHASHILDAR, DHARWAD,
TQ. AND DIST. DHARWAD-580001.
6. RAVI S/O. ADIVAPPA KATTI
AGE. MAJOR, OCC. BUSINESS,
R/O. RAVI NIVAS, MODERN HALL,
P B ROAD, VIDYAGIRI DHARWAD-580001.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R5;
SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI.M.V.HIREMATH, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103451/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100498 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER,
KRDCL RAYAPUR, DHARWAD,
TAL AND DIST: DHARWAD-580001.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
HUBBALLI-DHARWAD BRTS CO. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
RAYAPUR, DHARWAD,
TAL AND DIST: DHARWAD-580001.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. RAVI S/O. ADIVEPPA KATTI
AGED 52 YEARS, OCC. BUSINESS,
R/P RAVI NIVAS MODERN HALL
P.B. ROAD, VIDYAGIRI,
DHARWAD, DIST. DHARWAD -580001.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE, M.S. BUILDING,
BENGALURU -560001.
3. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGAR PALIKE,
DHARWAD, TAL AND DIST. DHARWAD -580001.
4. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REGISTERED BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD-580001.
5. THE TAHSILDAR
DHARWAD, TAL AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI.M.V.HIREMATH, ADV. FOR R1;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R5;
SRI. B. SHARANABASAWA, ADV. FOR R3 AND R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.103451/2016(LA-RES).(B) TO DISMISS W.P.NO.103451/2016(LA-RES).



IN WA NO.100507 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE, M.S.BUILDING,
BENGALURU-560001.
2. THE TAHSILDAR
DHARWAD, TQ AND DIST: DHARWAD-580001.

...APPELLANT

(BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. RAVI S/O. ADIVEPPA KATTI
AGE: 51 YEARS, OCC: BUSINESS,
R/O. RAVI NIVAS, MODERN HALL,
P.B.ROAD, VIDYAGIRI,
DHARWAD, DIST: DHARWAD.
2. HUBBALLI-DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS
THE MANAGING DIRECTOR,
2ND FLOOR, B BLOCK,
HOSUR INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
3. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/ HDBRTS, 2 FLOOR,
B BLOCK, NWKRTC INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
4. THE COMMISSIONER
HUBBALLI- DHARWAD MUNICIPAL CORPORATION,
DHARWAD-580001, TAL. DIST: DHARWAD.
5. HUBBALLI URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
HUBBALLI-580025, TALUK: HUBBALLI,
DIST: DHARWAD.



...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R2 AND R3;
SRI.M.V.HIREMATH, ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R4;
SRI.B.SHARNABASAWA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE RECORDS IN W.P.NO.103451/2016 (LAC) 21.12.2021 AND AFTER EXAMINING THE SAME.(B) QUASH THE IMPUGNED ORDER DATED 21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.103451/2016.

IN WA NO.100163 OF 2023:

BETWEEN:

HUBLI, DHARWAD MUNICIPAL CORPORATION
BY ITS COMMISSIONER,
TQ AND DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. RAVI S/O. ADIVEPPA KATTI
AGE. 50 YEARS, OCC. BUSINESS,
R/O. RAVI NIVAS, MODERN HALL
P.B.ROAD,
VIDYAGIRI DHARWAD,
DIST. DHARWAD-580001.
2. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT
504, 5TH FLOOR, 4TH GATE M.S.BUILDING
BENGALURU-01.
3. HUBLI- DHARWAD BRTS COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR
DHARWAD, TQ AND DIST. DHARWAD-580001.
4. THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER,
KRDCL RAIPUR DHARWAD,
TQ AND DIST.
DHARWAD-580001.



5. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBLI DHARWAD MAHANAGAR PALIKE,
DHARWAD, TAL AND DIST.DHARWAD-580001.
6. HUBLI URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER,
NAVANAGER, TQ. HUBBALLI,
DIST. DHARWAD-580001.
7. THE TAHASHILDAR
DHARWAD, TQ AND DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R7;
SRI.C.V.ANGADI, ADV. FOR R3 AND R4;
SRI.M.V.HIREMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R5 AND R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.103451/2016 (LAC), IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100410 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P.B.ROAD,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSRU



HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD,
DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. MAHAMMAD GOUSE S/O. JAFARSAB SAVANUR
AGED. 71 YEARS, OCC. NOT KNOWN,
R/O. P.B. ROAD, DHARWAD-580001.
2. GOUSEMODDIN S/O. JAFARSAB SAVANUR
AGE. 71 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.
3. SHOUKATALI S/O. JAFARASAB SAVANUR
AGE. 59 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.
4. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
504-5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
5. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK, 4TH FLOOR, SHANTI NAGAR,
K H ROAD, BENGALURU-560002.
6. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
7. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP. ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.



8. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

- (BY SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 AND R2;
SRI. V.M.SHEELVANT, ADV. FOR R6;
SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
R3-DECEASED;
R7 AND R8-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 103479-103481/2016 (LA-RES)B) DISMISS W.P. NO. 103479-
103481/2016(LA-RES).

IN WA NO.100034 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
504-5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.

...APPELLANT

- (BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. MAHAMMAD GOUSE S/O. JAFARSAB SAVANUR
AGED: 72 YEARS, OCC: NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.
2. GOUSEMODDIN S/O. JAFARSAB SAVANUR,
AGED: 70 YEARS, OCC: NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.
3. SHOUKATALI S/O. JAFARSAB SAVANUR
AGED: 60 YEARS, OCC: NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.



4. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K H ROAD, BENGALURU-560002.
5. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
6. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP. ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
7. MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK, NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
8. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,]
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI,
DIST: DHARWAD.
9. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R6 TO R9;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 AND R2;
SRI.VM.SHEELVANT, ADV. FOR R5)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P. NO. 103479/2016 (LA-RES).B) TO DISMISS W.P. NO. 103479/2016 (LA-RES).

IN WA NO.100069 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR
TQ. HUBBALLI, DIST. DHARWAD -580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
NO.504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU- 560001.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc, TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K.H.ROAD, BENGALURU- 560002.
3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
4. CHIEF ENGINEER
KRDCL NO. 16/J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BENALURU- 560002.
5. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRts COMPANY LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD- 580009.
6. SPL LAND ACQUISTION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRts OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAYPUR, P.B.ROAD,
DHARWAD- 580009.



7. EXECUTIVE ENGINEER
KRDCL, NO.16, 3RD MAIN ROAD,
DOLLARS COLONY, NEAR VASTALLY HOSPITAL,
GOKUL ROAD, HUBBALLI.
8. MOHAMMAD GOUSE S/O. JAFARSAB SAVANUR
AGED ABOUT 72 YEARS,
R/O. P.B.ROAD, DHARWAD.
9. GOUSEMODDIN S/O. JAFARSAGB SAVANUR
AGED ABOUT 70 YEARS,
R/O P.B.ROAD, DHARWAD.
10. SHOUKATALI S/O. JAFARSAB SAVANUR
AGED ABOUT 60 YEARS,
R/O P.B.ROAD, DHARWAD.

...RESPONDENTS

(BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R8 & R9;
SRI. V.M.SHEELVANT, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.103479-103481/2016, BY DISMISSING THE WRIT PETITION,
IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100125 OF 2023:

BETWEEN:

HUBBALLI DHARWAD MUNUCIPAL CORPORATION
HUBBALLI BY ITS COMMISSIONER, DIST. DHARWAD.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)

AND:

1. MAHAMMAD GOUSE
S/O. JAFARSABSAVANUR
AGED 66 YEARS, OCC:
2. GOUSEMODDIN
S/O. JAFARSABSAVANUR
AGED 64 YEARS, OCC:



3. SHOUKATALI
S/O. JAFARSABSAVANUR
AGED 54 YEARS, OCC.
ALL R/O P.B. ROAD, DHARWAD.
4. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
NO. 504, 5TH FLOOR,
4TH GATE, M.S. BUILDING,
AMBEDKAR VEEDHI,
BENGALURU.
5. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTD, TIMC, B -BLOCK,
4TH FLOOR, SHANTI NAGAR,
K.H. ROAD, BENGALURU-560002.
6. CHEIF ENGINEER
KRDCL NO. 16/J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE -560002.
7. MANAGING DIRECTOR
HUBBALLI -DHARWAD BRTS CO. LTD
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B. ROAD, DHARWAD.
8. SPECIAL LAND ACQUISITION OFFICER
AND THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B. ROAD, DHARWAD-09.
9. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R7;
SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
SRI.C.V.ANGADI, ADV. FOR R6, R8 AND R9;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 & R2)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT BE PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 103479-103481/2016 (LA-RES).

IN WA NO.100412 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD. OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P.B.ROAD,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD. OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. JYOTI W/O. FAKKIRAPPA CHAVAN
AGED 57 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD -580001.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,



504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.

3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K.H.ROAD,
BENGALURU-560002.
4. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, TALUK. HUBBALLI,
DIST. DHARWAD.
5. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR ROAD,
RAJAJINAGAR, BENGALURU,
KARNATAKA -560010.
OLD ADDRESS:
CHIEF ENGINEER
KRDCL, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.
6. THE EXECUTIVE ENGINEER
KRDCL NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI- 580030.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
R5 AND R6-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 103482/2016(LA-RES)B) DISMISS W.P. NO. 103482/2016(LA-RES).



IN WA NO.100003 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.

...APPELLANT

(BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. JYOTI W/O. FAKKIRAPPA CHAVAN
AGED 58 YEARS,
R/O. P.B.ROAD, DHARWAD -580001.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K.H.ROAD,
BENGALURU-560002.
3. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, TALUK. HUBBALLI,
DIST. DHARWAD.
4. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR ROAD,
RAJAJINAGAR, BENGALURU,
KARNATAKA -560010.
5. MANAGING DIRECTOR
HUBBALLI-DHARWAD BRtS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD.
6. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,



2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.

7. THE EXECUTIVE ENGINEER
KRDCL NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI- 580030.

...RESPONDENTS

(BY SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;
R2-SERVED;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7;
SRI.V.M.SHEELVANT, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103482/2016 (LA-RES).

IN WA NO.100061 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504, 4TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc, TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K.H.ROAD, BENGALURU-560 002.



3. CHIEF COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST.
DHARWAD-580001.
4. CHIEF ENGINEER
KRDCL NO.16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.
5. MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO.LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD,
DIST. DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER
KRDCL HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD,
DHARWAD-580009.
7. EXECUTIVE ENGINEER
KRDCL, NO.16, 3RD MAIN
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL
GOKUL ROAD, HUBBALLI-580001.
8. JYOTI W/O. FAKKIRAPPA CHAVAN
AGE. 58 YEARS, OCC. BUSINESS,
P.B.ROAD, DIST.
DHARWAD-580001.

...RESPONDENTS

(BY SRI. SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R8;)
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.103482/2016, BY DISMISSING THE WRIT PETITION, IN THE
INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100096 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V. M. SHEELVANT, ADVOCATE)

AND:

1. JYOTI W/O. FAKKIRAPPA CHAVAN
AGED 58 YEARS, OCC. HOUSEHOLD WORK,
R/O P.B.ROAD, DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING,
AMBEDKAR VEEDHI,
BENGALURU- 560001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTD, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR,K.H.ROAD,
BENGALURU -560002.
4. CHEIF ENGINEER, KRDCL,
NO. 16 J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU -560 002.
5. MANAGING DIRECTOR
HUBBALLI -DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD,
DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER
AND THE ASSITANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING,
RAYAPUR, P.B.ROAD,
DHARWAD -09.



7. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLORS COLONY,
NEAR VASTALLAYYA HOSPITAL,
GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI. K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1;)
SRI.C.V.ANGADI, ADV. FOR R4 TO R6 AND R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT BE PLEASED TO ALLOW THE
APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE
LEARNED SINGLE JUDGE IN W.P. NO. 103482/2016(LAC).

IN WA NO.100509 OF 2022:

BETWEEN:

STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
504- 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU – 560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. CHAMANSAB S/O. ALLABHAKSHA PATHAN
AGED 57 YEARS, OCC. NOT KNOWN,
R/O. P.B ROAD,
DHARWAD – 560001.
2. ADAMKHAN S/O. ALLABHAKSHA PATHAN
AGED 51 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD,
DHARWAD-580001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT,
URBAN LAND DEPARTMENT,
BMTc TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K. H. ROAD, BENGALURU- 560002.



4. THE COMMISSIONER
THUBBALLI - DHARWAD MUNICIPAL CORPORATION,
HUBBALLI – 580008, DIST. DHARWAD.
5. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR RAJKUMAR RD,
RAJAJJI NAGAR, BENGALURU,
KARNATAKA- 560010.
6. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR HOSUR,
HUBBALLI-580021, TALUK. HUBBALLI,
DIST. DHARWAD.
7. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD, 2ND FLOOR , B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR, HOSUR,
HUBBALLI – 580021, TALUK. HUBBALLI,
DIST. DHARWAD.
8. THE EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY, NEAR VATSALAY HOSPITAL,
GOKUL ROAD, HUBBALLI – 580030.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI.K.L.PATIL AND SRI. S.S.BETURMATH, ADV. FOR R2;
SRI. C.V.ANGADI, ADV. FOR R5 TO R8)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103483/2016 (LA-RES).

IN WA NO.100338 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P.B.ROAD,
DHARWAD-580009.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. GIRISH S/O. SHANKARAO CHINCHORE
SINCE DECEASED BY LRs.,
- 1(A). SMT. SUJATA W/O. GIRISH CHINCHORE
AGE: 52 YEARS, OCC: HOUSEWIFE,
R/O. MARATHA COLONY,
DHARWAD.
- 1(B). CHINMAYA W/O. GIRISH CHINCHORE
AGE: 28 YEARS, OCC: PVT. SERVICE,
R/O. MARATHA COLONY,
DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
504-5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.



3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT,
URBAN DEVELOPMENT DEPARTMENT,
BMTC TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K.H.ROAD,
BENGALURU-560002.
4. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
5. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP. ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
OLD ADDRESS:
CHIEF ENGINEER
KRDCL, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.
6. THE EXECUTIVE ENGINEER
KRDCL NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030,
DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W

SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1, R2 AND R3;

SRI.V.M.SHELLVANT, ADV. FOR R4;

SRI.K.L.PATIL AND SRI.S.S.BETURMATH,

ADV. FOR R1(A) TO R1(B);

R5 AND R6-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103485/2016(LA-RES); DISMISS W.P.NO. 103485/2016(LA-RES).



IN WA NO.100065 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTCL, TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K.H.ROAD, BENGALURU- 560002.
3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD-580001.
4. CHIEF ENGINEER
KRDCL, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU -560002.
5. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD- 580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD, DHARWAD-580009.



7. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLORS COLONY, NEAR VASTALLY HOSPITAL,
GOKUL ROAD, HUBBALLI-580008.
8. CHAMANSAB S/O. ALLABHAKSHA PATHAN
AGED ABOUT 57 YEARS,
R/O P.B.ROAD, DHARWAD-580001.
9. ADAMKHAN S/O ALLABHAKSHA PATHAN
AGED ABOUT 51 YEARS,
R/O P.B.ROAD, DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI.V.M.SHELLVANT, ADV. FOR R3;
SRI. C.V.ANGADI, ADV. FOR R4 TO R6 AND R7;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R8 & R9)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103483-103484/2016, BY DISMISSING THE WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100297 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P.B.ROAD,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. CHAMANSAB S/O. ALLABHAKSHA PATHAN
AGED 56 YEARS, OCC. NOT KNOWN,
R/O. P.B. ROAD, DHARWAD -580001.
2. ADAMKHAN S/O. ALLABHAKSHA PATHAN
AGED 50 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD -580001.
3. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.
4. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN LAND DEPARTMENT,
BMTC TIMC B BLCOK,
4TH FLOOR, SHANTI NAGAR,
K.H.ROAD, BENGALURU -560002.
5. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
6. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA -560010.
OLD ADDRESS:
CHIEF ENGINEER



KRDCL, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.

7. THE EXECUTIVE ENGINEER
KRDCL NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI -580030.

...RESPONDENTS

(BY SMT. POOJA SAVADATTI, ADV. FOR R1;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3 AND R4;
SRI.V.M.SHELLVANT, ADV. FOR R5;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R2;
R6 AND R7-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103483-103484/2016 (LA-RES)(B) DISMISS W.P.NO.103483-
103484/2016 (LA-RES).

IN WA NO.100302 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, P.B.ROAD,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRIS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,



PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD. OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. FAZAL AHAMMAD S/O. RASULSAB SAVANUR
AGE. 54 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD-580001.
2. NOOR AHAMMAD S/O. RASULSAB SAVANUR
AGE. 43 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD.
3. GOUSEMODDIN S/O RASULSAB SAVANUR
AGE. 69 YEARS, OCC. NOT KNOWN,
R/O. P.B.ROAD, DHARWAD.
4. STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
504-5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
5. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTc TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K.H.ROAD,
BENGALURU-560002.
6. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION
HUBBALLI, DIST. DHARWAD.
7. THE CHIEF ENGINEER
KRDCL NO.16,
2ND FLOOR, SAMPARKA SOUDHA
OPP ORION MALL, DR RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.



8. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL
GOKUL ROAD, HUBBALLI-580030,
DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
SRI. G.I.GACHCHINAMATH, ADV. FOR R6;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 TO R3;
R7 AND R8-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103486-103488/2016 (LA-RES); DISMISS W.P.NO.103486-
103488/2016 (LA-RES).

IN WA NO.100020 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M. SHEELVANT, ADVOCATE)

AND:

1. FAZAL AHAMMAD S/O. RASULSAB SAVANUR
AGED. 55 YEARS, R/O P.B.ROAD, DHARWAD.
2. NOOR AHAMAD S/O. RASULSAB SAVANUR
AGED 44 YEARS, R/O P.B.ROAD,
DHARWAD.
3. GOUSEMODDIN S/O JAFARSAB SAVANUR
AGED 70 YEARS, R/O P.B.ROAD
DHARWAD.
4. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY URBAN DEVELOPMENT
DEPARTMENT NO. 504, 5TH FLOOR, 4TH GATE
M.S. BUILDING, AMBEDKAR VEEDHI BENGALURU 560001.



5. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT BMTD,
TIMC B BLOCK, 4TH FLOOR SHANTI NAGAR,
K.H.ROAD, BENGALURU 560002.
6. CHEIF ENGINEER
KRDCL NO. 16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BENGALURU-560002.
7. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD 580009.
8. SPL. LAND ACQUISITION OFFICER
AND THE ASSISTANT COMMISSIONER KRDCL,
HDBRTSC OFFICE 1ST FLOOR,
KSFC BUILDING RAYAPUR, P.B.ROAD,
DHARWAD- 09.
9. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLORS COLONY, NEAR VASTALLAYYA HOSPITAL, GOKUL
ROAD, HUBLI.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R6 TO R9;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 & R2;
R3- SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT MAY BE PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NO. 103486-103488 (LA-RES).

IN WA NO.100058 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY URBAN DEVELOPMENT
DEPARTMENT NO. 504, 5TH FLOOR, 4TH GATE
M.S. BUILDING, AMBEDKAR VEEDHI BENGALURU 560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)



AND:

1. FAZAL AHAMMAD S/O. RASULSAB SAVANUR
AGED. 55 YEARS, R/O P.B.ROAD, DHARWAD.
2. NOOR AHAMAD S/O. RASULSAB SAVANUR
AGED 44 YEARS, R/O P.B.ROAD,
DHARWAD.
3. GOUSEMODDIN S/O JAFARSAB SAVANUR
AGED 70 YEARS, R/O P.B.ROAD
DHARWAD.
4. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT BMTD,
TIMC B BLOCK, 4TH FLOOR SHANTI NAGAR,
K.H.ROAD, BENGALURU 560002.
5. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST: DHARWAD.
6. THE CHIEF ENGINEER
KRDCL NO.16,
2ND FLOOR, SAMPARKA SOUDHA
OPP ORION MALL, DR RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
7. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
8. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK.
HUBBALLI,
DIST. DHARWAD.



9. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLORS COLONY,
NEAR VASTALLAYYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI. V.M.SHEELVANT, ADV. FOR R5;
SRI.C.V.ANGADI, ADV. FOR R6 TO R9;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 & R2;
R3 AND R4-SERVED)
THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 103486-103488/2016(LA-RES).

IN WA NO.100072 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
504, 4TH FLOOR, 4TH GARE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc, TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K.H.ROAD, BENGALURU-560 002.
3. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD-580021.
4. CHIEF ENGINEER
KRDCL NO.16,
J MILLER TANK BED AREA,



TIMMAYYA ROAD CROSS,
BANGALORE-560002.

5. MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO.LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR,P.B.ROAD, DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HRBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.
7. EXECUTIVE ENGINEER
KRDCL, NO.16, 3RD MAIN ROAD,
DOLLARS COLON, NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI, DIST. DHARWAD.
8. FAZAL AHAMMAD S/O RASULSAB SAVANUR
AGE. 55 YEARS, OCC. BUSINESS,
R/O. P.B.ROAD, DHARWAD.
9. NOOR AHAMMAD S/O. RASULSAB SAVANUR
AGE. 44 YEARS, OCC. BUSINESS,
R/O.P.B.ROAD, DHARWAD.
10. GOUSEMODDIN S/O.JAFARSAB SAVANUR
AGE. 70 YEARS, OCC. BUSINESS,
R/O.P.B.ROAD, DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI.V.M. SHEELVANT, ADV. FOR R3;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R8 & R9)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.103486-103488/2016, BY DISMISSING THE WRIT PETITION,
IN THE INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100209 OF 2023:

BETWEEN:

THE COMMISSIONER HUBBALLI DHARWAD
MUNICIPAL CORPORATION, HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. FAZAL AHAMMAD S/O. RASULSAB SAVANUR
AGE. 55 YEARS, R/O. P B ROAD,
DHARWAD.
2. NOOR AHAMMAD S/O RASULSAB SAVANUR
AGE. 44 YEARS, R/O. P B ROAD,
DHARWAD.
3. GOUSEMODDIN S/O JAFARSAB SAVANUR
AGED 70 YEARS, R/O. P B ROAD,
DHARWAD.
4. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU 560001.
5. THE COMMISSIONER DIRECTOR OF URBAN LAND
TRANSPORT URBAN DEVELOPMENT DEPARTMENT
BMTCL, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD,
BENGALURU 560002.
6. CHIEF ENGINEER
KRDCL NO.16, J MILLER TANK BED AREA,
TMMYYA ROAD CROSS, BENGALURU 560002.
7. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFV BUILDING,
RAYAPUR, P R ROAD, DHARWAD-580009.
8. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING RAYAPUR,



P B ROAD, DHARWAD- 09.

9. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4 AND R5;
SRI.C.V.ANGADI, ADV. FOR R6 TO R9;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADV. FOR R1 TO R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.103486-103488 (LA-RES), IN THE INTEREST OF JUSTICE AND
EQUITY.

IN WA NO.100342 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD. OLD ADDRESS:
THE ASSISTANT COMMISSIONER AND
SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAYAPUR, DHARWAD,
TAL AND DIST: DHARWAD.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRIS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD. OLD ADDRESS:
HUBBALLI-DHARWAD BRIS CO. LTD.,
REP. BY ITS MANAGING DIRECTOR,
DHARWAD, TAL AND DIST: DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)



AND:

1. PREMABAI W/O. MOHAN GAONKAR
AGED 75 YEARS, OCC. HOUSEWIFE,
R/O LAKMANAHALLI DHARWAD,
DIST. DHARWAD -580001.
2. MANJUNATH S/O. MOHAN GAONKAR
AGED 55 YEARS, OCC. BUSINESS
R/O LAKMANAHALLI DHARWAD
DIST. DHARWAD 580001.
3. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO URBAN
DEVELOPMENT DEPARTMENT,
504- 5TH FLOOR, 4TH GATE,
M.S. BUILDING,
BENGALURU -560001.
4. THE DEPUTY DIRECTOR OF TOWN PLANNING
HUBBALLI-DHARWAD MAHANAGAR PALIKE,
DHARWAD, TAL. AND DIST. DHARWAD-580001.
OLD ADDRESS:
THE COMMISSIONER HUBLI-DHARWAD
MUNICIPAL CORPORATION,
DHARWAD, TAL AND
DIST: DHARWAD-580001.
5. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD-580001.
6. THE TAHSILDAR
DHARWAD, TAL AND DIST.
DHARWAD-580001.

...RESPONDENTS

(BY SMT.JOSHNA P.DHANAVE, ADV. FOR R1 AND R2;
SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI. B.SHARANABASAWA, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3 AND R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103549/2016(LA-RES); DISMISS W.P.NO. 103548/2016(LA-RES).



IN WA NO.100456 OF 2022:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD 580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M S BUILDING, BENGALURU -01.
2. HUBBALLI -DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DHARWAD, TQ. AND DIST. DHARWAD -580001.
3. THE ASSISTANT COMMISSIONER AND
SPECIAL LAND ACQUISITION OFFICER,
KRDCL RAYAPUR, DHARWAD,
TQ. AND DIST. DHARWAD -580001.
4. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
TQ. AND DIST. DHARWAD -580001.
5. THE TAHASILDAR
DHARWAD, TQ. AND DIST. DHARWAD -580001.
6. PREMABAI W/O. MOHAN GAONKAR
AGED ABOUT 76 YEARS, OCC. HOUSEWIFE,
R/O. LAKMANAHALLI, DHARWAD,
DIST. DHARWAD -580001.
7. MANJUNATH S/O. MOHAN GAONKAR
AGED ABOUT 56 YEARS, OCC. BUSINESS,
R/O. LAKMANAHALLI, DHARWAD,
DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R2 AND R3;
SMT.JOSHNA P.DHANAVE, ADV. FOR R6 AND R7;
SRI. V.M.SHEELVANT, ADV. FOR R4;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R5)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103548/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100004 OF 2023:

BETWEEN:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.
2. THE TAHASILDAR
DHARWAD, TQ. AND DIST. DHARWAD -580001.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. PREMABAI W/O. MOHAN GAONKAR
AGED ABOUT 75 YEARS, OCC. HOUSEWIFE,
R/O. LAKMANAHALLI, DHARWAD,
DIST. DHARWAD -580001.
2. MANJUNATH S/O. MOHAN GAONKAR
AGED ABOUT 55 YEARS, OCC. BUSINESS,
R/O. LAKMANAHALLI, DHARWAD,
DIST. DHARWAD-580001.
3. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR HOSUR,
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
4. THE ASSISTANT COMMISSIONER AND
THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,



2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.

5. THE COMMISSIONER
HUBBALLI –DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TQ. AND DIST. DHARWAD -580001.
6. HUBBALLI URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R3 AND R4;
SMT. POOJA R.SAVADATTI, ADV. FOR R1 AND R2;
SRI.V.M.SHEELVANT, ADV. FOR R5;
SRI. B.SHARANABASAWA, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, CALL FOR THE RECORDS IN WP NO. 103548/2016 (LAC) DATED 22.12.2021 AND AFTER EXAMINING THE SAME; QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO. 103548/2016 (LAC).

IN WA NO.100095 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBLI-DHARWAD MUNICIPAL CORPORATION,
MAHANAGAR PALIKE,
TAL AND DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. PREMABAI W/O. MOHAN GAONKAR
AGED. 72 YEARS, OCC. HOUSEWORK,
R/O. LAKMAHALLI, DHARWAD,
DIST. DHARWAD-580001.
2. MANJUNATH S/O. MOHAN GAONKAR
AGED. 52 YEARS, OCC. BUSINESS,
R/O. LAKMAHALLI, DHARWAD,
DIST. DHARWAD-580001.



3. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, BENGALURU-01.
4. HUBLI- DHARWAD BRTS COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
DHARWAD, TAL AND DIST DHARWAD-580001.
5. THE ASSISTANT COMMISSIONER
AND SPECIAL LAND ACQUISITION OFFICER,
KRDCL, RAIPUR, DHARWAD,
TAL AND DIST DHARWAD-580001.
6. HUBLI URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI,
DIST. DHARWAD-580001.
7. THE TAHASHILDAR
DHARWAD, TAL AND DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3 AND R7;
SRI. C.V.ANGADI, ADV. FOR R4 AND R5;
SRI.B.SHARANABASAWA, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT BE PLEASED TO ALLOW THE
APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE
LEARNED SINGLE JUDGE IN W.P. NO. 103548/2016(LAC).

IN WA NO.100344 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE ASSISTANT COMMISSIONER AND
AND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,



HDBRTS OFFICE BUILDING, RAYAPUR,
DHARWAD-09.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
THE MANAGING DIRECTOR,
HUBBALLI-DHARWAD BRTS CO. LTD.,
OFFICE OF BRTS, FIRST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD-09.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SMT. ROHINI W/O. SURESH PATRAVALI
AGED 64 YEARS, OCC. BUSINESS/AGRICULTURE,
R/O. NARAYANPUR, DHARWAD -580008.
2. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
3. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT,
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC, "B" BLOCK, 4TH FLOOR,
SHANTINAGAR, KH ROAD, BENGALURU 560027.
4. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16, 2ND FLOOR,
SAMPARKA SOUDHA, OPP. ORION MALL,
DR. RAJKUMAR ROAD, RAJAJINAGAR,
BENGALURU, KARNATAKA-560010,
OLD ADDRESS:
CHIEF ENGINEER,
KRDC LIMITED, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.



5. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI -580030.
6. THE COMMISSIONER
HUBBALLI- DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR-HUBBALLI-580025,
TALUK. HUBBALLI, DIST. DHARWAD.
7. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
DHARWARD, TALUK. DHARAD,
DIST. DHARWAD 580008.
8. THE TAHASILDAR, DHARWAD TALUK,
DHARWAD-580001, DIST. DHARWAD.

...RESPONDENTS

(BY SRI. K.L.PATIL AND SRI. S.S.BETURMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R6;
SRI.V.M.SHEELVANT, ADV. FOR R7;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2, R3 AND R8;
R4 AND R5-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103770/2015(LA-RES; DISMISS W.P.NO. 103770/2015(LA-RES).

IN WA NO.100442 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BANGALORE 560001.



2. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT,
BMTc TIMC B BLOCK,
4TH FLOOR, SHANTINAGAR,
K.H.ROAD, BENGALURU-560027.
3. THE CHIEF ENGINEER
KRDC LIMITED, NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD,
CROSS, BENGALURU -560002.
4. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE BRTS, FIRST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD.
5. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLORS COLONY,
NEAR VATSALYA HOSPITAL,
GOKUL ROAD, HUBBALLI- 580030.
7. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD, DIST. DHARWAD.
8. THE TAHASILDAR
DHARWAD TALUK. DHARWAD,
DIST. DHARWAD.
9. SMT. ROHANI W/O. SURESH PATRAVALI
AGED ABOUT 65 YEARS,
OCC. BUSINESS/AGRICULTURE,
R/O. NARAYANAPUR, DHARWAD.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R3 TO R6;
SRI. K.L.PATIL AND SRI. S.S.BETURMATH, ADV. FOR R9;
SRI.V.M.SHEELVANT, ADV. FOR R7;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1, R2 AND R8)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE FOR THE REASONS AND GROUNDS STATED ABOVE THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGEMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO. 103770/2015 BY DISMISSING THE WRIT PETITION.

IN WA NO.100562 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M. S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU- 560001.
2. THE TAHASILDAR
DHARWAD.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SMT. ROHANI W/O. SURESH PATRAVALI
AGED ABOUT 64 YEARS,
OCC. BUSINESS/AGRICULTURE,
R/O. NARAYANAPUR, DHARWAD-580008.
2. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC 'B' BLOCK,
4TH FLOOR, SHANTINAGAR,
K.H.ROAD, BENGALURU-560027.
3. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16, 2ND FLOOR,
SAMPARKA SOUDHA, OPP. ORION MALL,
DR. RAJKUMAR ROAD, RAJAJINAGAR,
BENGALURU, KARNATAKA-560010,
4. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRIS COMPANY LTD.,



2ND FLOOR, B BLOCK, NWKRTC INTERCHANGE
BUILDING, NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK HUBBALLI,
DIST-DHARWAD.

5. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/HDBRTS,
2ND FLOOR, B BLOCK, NWKRTC INTERCHANGE
BUILDING, NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK HUBBALLI,
DIST-DHARWAD.
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLORS COLONY,
NEAR VATSALYA HOSPITAL,
GOKUL ROAD, HUBBALLI- 580030.
7. THE COMMISSIONER
HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR-HUBBALLI-580025,
TQ. HUBBALLI, DIST. DHARWAD.
8. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD, TALUK. DHARWAD,
DIST. DHARWAD-580008.

...RESPONDENTS

(BY SRI. B.SHARANABASAWA, ADV. FOR R7;
SRI.C.V.ANGADI, ADV. FOR R3 TO R6;
SRI. K.L.PATIL AND SRI. S.S.BETURMATH, ADV. FOR R1;
SRI.G.I.GACHCHINAMATH, ADV. FOR R8;

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 103770/2015(LA-RES); TO DISMISS WP NO. 103770/2015 (LA-RES).

IN WA NO.100080 OF 2023:

BETWEEN:

HUBBALLI -DHARWAD MUNICIPAL CORPORATION
R/BY ITS THE COMMISSIONER HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVAN, ADVOCATE)



AND:

1. ROHINI W/O. SURESH PATRAVALI
AGE. 64 YEARS, OCC. BUSINESS/AGRICULTURE,
R/O. NARAYANPUR, DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD, BENGALURU-560002.
4. CHIEF ENGINEER
KRDCL NO. 16,
J MILLER TANK BED AREA,
TMMYYA ROAD CROSS,
BENGALURU -560002.
5. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD.
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.
6. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
1ST FLOOR, KSFC BUILDING RAYAPUR,
P B ROAD, DHARWAD-09.
7. THE EXECUTIVE ENGINEER
KRDCL, NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBLI -580030.
8. THE COMMISSIONER
HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR, HUBBALLI,
DIST. DHARWAD-580025.



9. THE TAHASILDAR
DHARWAD TALUK,
DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R4, R6 AND R7;
SRI. K.L.PATIL AND SRI. S.S.BETURMATH, ADV. FOR R1;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGODAR, GOVT. ADV. FOR R2, R3 AND R9;
SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI.G.I.GACHCHINAMATH, ADV. FOR R8)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, ALLOW THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 103770/2015 (LA-RES).

IN WA NO.100458 OF 2022:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAGANAGAR, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S.BUILDING,
BENGALURU-01, BY ITS SECRETARY.
2. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL, 1ST FLOOR, KSFC,
BUILDING, P.B.ROAD,
RAYAPUR, DHARWAD-580009.
3. THE COMMISSIONER
HDMC, DHARWAD-580001.
4. HUBBALLI DHARWAD KRDCL CO.LTD.,
REPRESENTED BY ITS
MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.



5. SHRI. SHIVARAM S/O. NAGAPPA PALANKAR
AGED ABOUT 86 YEARS,
OCC. BUSINESS, R/O. SHIVAPUR COLONY,
SANMATI ROAD, DHARWAD-580001.
6. SMT. SEETABAI W/O. SHIVARAM PALANKAR
AGE. 81 YEARS, OCC. HOUSEHOLD,
R/O. SHIVAPUR COLONY,
SANMATI ROAD, DHARWAD-580001.
7. SMT. RESHMI W/O. SUNIL @ SHRIPAD PALANKAR
AGE. 30 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY,
SANMATI ROAD, DHARWAD-580001.
8. SRI. ANIL S/O. SHIVARAM PALANKAR
AGE. 58 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY,
SANMATI ROAD, DHARWAD-580001.
9. USHA W/O. SHIVARAM PALANKAR
AGE. 48 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY,
SANMATI ROAD, DHARWAD-580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2 AND R4;
SRI. V.M.SHEELVANT, ADV. FOR R3;
R8 AND R9-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.104784/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100377 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,



HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER,
KRDCL, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD-580009.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
HUBBALLI-DHARWAD BRTS CO. LTD.,
REPRESENTED BY ITS
MANAGING DIRECTOR,
TQ AND DIST: DHARWAD-580009.

...APPELLANT

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SHRI. SHIVARAM S/O. NAGAPPA PALANKAR
AGE 85 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001, TALUK AND DIST. DHARWAD.
2. SMT. SEETABAI W/O. SHIVARAM PALANKAR
AGE 80 YEARS, OCC. HOUSEHOLD,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001, TALUK AND DIST. DHARWAD.
3. SMT. RESHMI W/O. SUNIL @ SHRIPAD PALANKAR,
AGE 29 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001, TALUK AND DIST. DHARWAD.
4. SHRI. ANIL S/O. SHIVARAM PALANKAR
AGE 55 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001, TALUK AND DIST. DHARWAD.
5. USHA D/O. SHIVARAM PALANKAR
AGE 47 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001, TALUK AND DIST. DHARWAD.



6. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S.BUILDING,
BENGALURU-560001, REP. BY ITS SECRETARY.
7. THE COMMISSIONER
HDMC, DHARWAD-580008.
8. THE COMMISSIONER
H.D.U.D.A. NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

- (BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R6;
SRI. V.M.SHEELVANT, ADV. FOR R7;
SRI. B.SHARANABASAWA, ADV. FOR R8;
R1 TO R5-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.NO. 104784/2016 (LA-RES); TO DISMISS W.P. NO. 104784/2016 (LA-RES).

IN WA NO.100560 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S.BUILDING,
BENGALURU-560001, REP. BY ITS SECRETARY.

...APPELLANT

- (BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R6)

AND:

1. SHRI. SHIVARAM
S/O. NAGAPPA PALANKAR
AGE 80 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001.



2. SMT. SEETABAI W/O. SHIVARAM PALANKAR
AGE 75 YEARS, OCC. HOUSEHOLD,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001.
3. SMT. RESHMI W/O. SUNIL @ SHRIPAD PALANKAR,
AGE 29 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001.
4. SHRI. ANIL S/O. SHIVARAM PALANKAR
AGE 50 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001.
5. USHA D/O. SHIVARAM PALANKAR
AGE 42 YEARS, OCC. BUSINESS,
R/O. SHIVAPUR COLONY, SANMATI ROAD,
DHARWAD-580001.
6. THE SPECIAL LAND ACQUISTION OFFICER
KRDCL, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD-580009.
7. THE COMMISSIONER
HUBLI-DHARWAD MUNICIPAL CORPORATION,
DHARWAD-58001.
8. HUBBALLI-DHARWAD KRDCL CO.LTD,
(HUBBALLI-DHARWAD BRTS CO.LTD.),
REPRESENTED BY ITS MANAGING DIRECTOR,
DIST: DHARWAD-580001.
9. THE COMMISSIONER
H.D.U.D.A., NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. SHIVASAI M.PATIL, ADV. FOR R1 TO R5;
SRI.C.V.ANGADI, ADV. FOR R6 AND R8;
SRI. B.SHARANABASAWA, ADV. FOR R9;
SRI. G.I.GACHCHINAMATH, ADV. FOR R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, CALL FOR THE
RECORDS IN W.P. NO. 104784/2016 (LA-RES) DATED 22.12.2021, AND
AFTER EXAMINING THE SAME; SETTING ASIDE THE IMPUGNED ORDER
DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.
104784/2016 (LA-RES).



IN WA NO.100055 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD MUNICIPAL CORPORATION
R/BY: THE COMMISSIONER, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. SHRI. SHIVARAM S/O. NAGAPPA PALANKAR
AGE. 86 YEARS, OCC. BUSINESS,
R/O. SHIVPUR COLONY,
SANMATI ROAD, DHARWAD.
2. SMT. SEETA BAI W/O. SHIVRAM PALANKR
AGE. 79 YEARS, OCC. HOUSEHOLD,
R/O. SHIVPUR COLONY,
SANMATI ROAD, DHARWAD.
3. SMT. RESHMI W/O. SUNIL @ SHRIPAD PALANAKAR
AGE. 56 YEARS, OCC. BUSINESS,
R/O. SHIVPUR COLONY,
SANMATI ROAD, DHARWAD.
4. SHRI. ANIL S/O. SHIVRAM PALANKAR
AGE. 56 YEARS, OCC. BUSINESS,
R/O. SHIVPUR COLONY,
SANMATI ROAD, DHARWAD.
5. USHA D/O. SHIVRAM PALANKAR
AGE. 48 YEARS, OCC. BUSINESS,
R/O. SHIVPUR COLONY,
SANMATI ROAD, DHARWAD.
6. THE STATE OF KARNATAKA
DEPARTMENT OF KARNTAKA PUBLIC WORKS,
PORT AND INLAND WATER TRANSPORT
DEPARTMENT, M.S.BUILDING,
BANGALORE-1,
REP. BY ITS SECRETRY.
7. SPL. LAND ACQUISITION OFFICER
KRDC, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD-580009.



8. HUBBALLI DHARWAD KRDCL CO.LTD.,
REP. BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.
9. THE COMMISSIONER
HDUDA, NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R6;
SRI.C.V.ANGADI, ADV. FOR R7 AND R8;
SRI.B.SHARANABASAWA, ADV. FOR R9)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P.NO.104784/2016 (LA-RES), IN THE
INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100374 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER,
KRDCL, 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO VIDYANAGAR HOSRU
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD. OLD ADDRESS:
HUBBALLI-DHARWAD KRDCL CO. LTD.,
REPRESENTED BY ITS
MANAGING DIRECTOR,
TQ AND DIST: DHARWAD-580009.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)



AND:

1. SHRI. KHANJI S/O. KARSAN PATEL
AGED 67 YEARS, OCC. BUSINESS,
R/O. YALAKKI SHETTAR COLONY,
DHARWAD-580004.
2. SHRI. RAVAJI S/O. KARSAN PATEL
AGED. 64 YEARS, OCC. BUSINESS,
R/O. YALAKKI SHETTAR COLONY,
DHARWAD-580004.
3. SHRI. SONAJI S/O. KARSAN PATEL
AGED. 61 YEARS, OCC. BUSINESS,
R/O. YALAKKI SHETTAR COLONY,
DHARWAD-580004.
4. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S. BUILDING,
BENGALURU-560001, REP BY ITS SECRETARY.
5. THE COMMISSIONER
HDMC, DHARWAD-580008.
6. THE COMMISSIONER
HDUDA, NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI.SHIVASAI M.PATIL, ADV. FOR R1 TO R3;
SRI.V.M.SHEELVANT, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4;
SRI. B.SHARANABASAWA, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT APPEAL AND SET
ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO.104785/2016 (LA-RES);
TO DISMISS W.P. NO.104785/2016 (LA-RES).

IN WA NO.100476 OF 2022:

BETWEEN:

THE COMMISSIONER
HDMC, DHARWAD-580001.

...APPELLANT

(BY SRI. V.M. SHEELVANT, ADVOCATE)



AND:

1. SHRI. KHANJI S/O. KARSAN PATEL
AGED 68 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETTAR COLONY,
DHARWAD-580001.
2. SHRI. RAVAJI S/O. KARSAN PATEL
AGED. 65 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETAR COLONY,
DHARWAD-580001.
3. SHRI. SOANJI S/O. KARSAN PATEL
AGED. 62 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETTAR COLONY,
DHARWAD-580001.
4. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S. BUILDING, BENGALURU-560001,
REPRESENTED BY ITS SECRETARY.
5. THE SPECIAL LAND ACQUISITION OFFICER
K.R.D.C.L., 1ST FLOOR,
KSFC BUILDING, P.B. ROAD, RAYAPUR,
DHARWAD-580009.
6. HUBBALLI-DHARWAD KRDCCL CO. LTD.,
R/BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.
7. THE COMMISSIONER,
H.D.U.D.A., NAVANAGAR,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R7;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R4;
SRI. B.SHARANABASAWA, ADV. FOR R5 AND R6;
R1 TO R3-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, THE
APPELLANT MOST RESPECTFULLY PRAYS THAT THIS HON BLE COURT
BE PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER
DATED.22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.
NO.104785/2016 (LA-RES).



IN WA NO.100501 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S. BUILDING, BENGALURU-560001,
REPRESENTED BY ITS SECRETARY.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SHRI. KHANJI S/O. KARSAN PATEL
AGED 68 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETTAR COLONY,
DHARWAD-580004.
2. SHRI. RAVAJI S/O. KARSAN PATEL
AGED. 65 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETAR COLONY,
DHARWAD-580004.
3. SHRI. SOANJI S/O. KARSAN PATEL
AGED. 62 YEARS, OCC. BUSINESS,
R/O. YALAKKISHETTAR COLONY,
DHARWAD-580004.
4. THE SPECIAL LAND ACQUISITION OFFICER
K.R.D.C.L., 1ST FLOOR,
KSFC BUILDING, P.B. ROAD, RAYAPUR,
DHARWAD-580009.
5. THE COMMISSIONER,
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
DHARWAD-580009.
6. THE HUBBALLI-DHARWAD KRDCL CO. LTD.,
R/BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.
7. THE COMMISSIONER,
H.D.U.D.A., NAVANAGAR,
DHARWAD-580009.



...RESPONDENTS

(BY SRI.V.M.SHEELVANT, ADV. FOR R5;
SRI.C.V.ANGADI, ADV. FOR R4 AND R6;
SRI.B.SHARANABASAWA, ADV. FOR R7;
R1 TO R3-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, CALL FOR THE RECORDS IN W.P.NO.104785/2016 (LA) AND 21.12.2021 AND AFTER EXAMINING THE SAME; QUASH THE IMPUGNED ORDER DATED 21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.104785/2016 (LA).

IN WA NO.100049 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF KARNATAKA PUBLIC WORKS,
PORTS AND INLAND WATER TRANSPORT
DEPARTMENT, M.S. BUILDING, BANGALORE-1,
BY ITS SECRETARY.
2. THE SPECIAL LAND ACQUISITION OFFICER
K.R.D.C.L., 1ST FLOOR, KSFC BUILDING,
P.B.ROAD, RAYAPUR, DHARWAD -580009.
3. THE COMMISSIONER
HDMC, DHARWAD.
4. HUBBALLI -DHARWAD
KRDCL COMPANY LIMITED,
REP. BY ITS MANAGING DIRECTOR,
TQ. AND DIST. DHARWAD-580009.
5. SHRI. KHANJI S/O. KARSAN PATEIL
AGED ABOUT 68 YEARS, OCC. BUSINESS,
R/O: YALAKKI SHETTAR COLONY,
DHARWAD-580009.
6. SHRI. RAVAJI S/O. KARSAN PATEL



AGED ABOUT 65 YEARS, OCC. BUSINESS,
R/O. YALAKKI SHETTAR COLONY,
DHARWAD-580009.

7. SHRI. SOANJI S/O. KARSAN PATEL
AGED ABOUT 62 YEARS, OCC. BUSINESS,
R/O. YALAKKI SHETTAR COLONY,
DHARWAD-580009.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI. C.V.ANGADI, ADV. FOR R2 AND R4;
SRI. R5 TO R7-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER DATED
22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION
NO.104785/2016, BY DISMISSING THE WRIT PETITION, IN THE INTEREST
OF JUSTICE AND EQUITY.

IN WA NO.100368 OF 2022:

BETWEEN:

HUBBALLI -DHARWAD MUNICIPAL CORPORATION
HUBBALLI, BY ITS COMMISSIONER,
BY ITS AUTHORIZED OFFICER,
SAVITA PATIL, LAW OFFICER.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. SHARADABAI W/O. CHANDRAKANT JANAMANE
AGED 9 YEARS, OCC. HOUSEHOLD WORK,
R/O. KAMAL KUNJA BUILDING
YALLAKISHETTAR COLONY
P.B. ROAD, DHARWAD.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING BENGALURU -01,
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KRDCL NO. 16,
J MILLER TANK BED AREA,



TMMAYYA ROAED CROSS,
BENGALURU - 560002.

4. HUBBALLI DHARWAD BRTS COMPANY LTD,
OFFICE OF BRTS,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD,
BY ITS MANAGING DIRECTOR.
5. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
6. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI.

...RESPONDENTS

(BY SRI.M.B.HIREMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R4 AND R6;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI. C.V.ANGADI, ADV. FOR R3 AND R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, THIS HON'BLE COURT MAY BE PLEASED TO ALLOW THE
APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY THE
LEARNED SINGLE JUDGE IN W.P. NO. 106157/2016 (LA-RES).

IN WA NO.100373 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.



2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSRU
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
HUBBALLI-DHARWAD BRTC CO. LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009,
BY ITS MANAGING DIRECTOR.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)

AND:

1. SHARADABAI W/O. CHANDRAKANT JANAMANE
AGE. 78 YEARS, OCC. HOUSEHOLD WORK,
R/O. "KAMAL KUNJ" BUILDING,
YALLAKISHETTAR COLONY,
P.B. ROAD, TQ. DIST. DHARWAD-580004.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S.BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL,
DR RAJKUMAR ROAD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010,
OLD ADDRESS:
THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
NO.16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BANGALORE-560002.
4. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580025.

...RESPONDENTS

(BY SRI. M.B.HIREMATH, ADV. FOR R1;
SRI.SHARANABASAWA, ADV. FOR R4;



SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO.106157/2016 (LA-RES); TO DISMISS W.P. NO.106157/2016 (LA-RES).

IN WA NO.100459 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M.S.BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., NO.16,
J-MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.
3. HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPURA DHARWAD,
TQ AND DIST. DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISTION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., 1ST FLOOR,
KSFC BUILDING, RAYAPURA, DHARWAD,
TQ AND DIST. DHARWAD-580001.



5. SHARADABAI W/O. CHANDRAKANT JANAMANE
AGE. 79 YEARS, OCC. HOUSEHOLD
R/O. KAMAL KUNJ BUILDING,
YALLAKKI SHETTAR COLONY,
P.B.ROAD, DHARWAD-580004.
TQ AND DIST. DHARWAD.

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R2 TO R4;
SRI. M.B.HIREMATH, ADV. FOR R5;
SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE, FOR THE REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY KINDLY BE PLEASD TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.106157/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100044 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REP. DEPARTMENT OF URBAN DEVELOPMENT
M.S.BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SHARADABAI W/O. CHANDRAKANT JANAMANE
AGE. 79 YEARS, OCC. HOUSEHOLD
R/O. KAMAL KUNJ BUILDING,
YALLAKKI SHETTAR COLONY,
P.B.ROAD, DHARWAD-580004.
TQ AND DIST. DHARWAD.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., NO.16,
J-MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.



3. HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPURA DHARWAD,
TQ AND DIST. DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., 1ST FLOOR,
KSFC BUILDING, RAYAPURA, DHARWAD,
TQ AND DIST. DHARWAD-580001.
5. COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI.B.SHARANABASAWA, ADV. FOR R5;
SRI.C.V.ANGADI, ADV. FOR R2 TO R4;
SRI.M.B. HIREMATH, ADV. FOR R1)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, CALL FOR THE RECORDS IN W.P.NO.106157/2016 DATED 22.12.2021, AND AFTER EXAMINING THE SAME; QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.106157/2016.

IN WA NO.100327 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M.S. BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
2. THE CHIEF ENGINEER,
KARNATAKA ROAD DEVELOPMENT



CORPORATION LIMITED,
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.

3. HUBLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD
TQ. AND DIST. DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD,
TQ. AND DIST. DHARWAD-580001.
5. SANTOSH S/O. CHADRAKANT JANAMANE,
AGED 53 YEARS, OCC. BUSINESS,
R/O. KAMAL KUNJA BUILDING,
YALLAKISHETTAR COLONY,
P.B. ROAD, DHARWAD,
TQ. AND DIST. DHARWAD-580004.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI. C.V. ANGADI, ADV. FOR R2 TO R4;
SRI.M.B.HIREMATH, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.106158/2016, BY DISMISSING THE WRIT PETITION, IN THE
INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100301 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.



OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
BY ITS MANAGING DIRECTOR.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSRU
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
HUBBALLI-DHARWAD BRTC CO. LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009,
BY ITS MANAGING DIRECTOR.

...APPELLANTS

(BY SRI. B.SHARANABASAWA, ADVOCATE)

AND:

1. SANTOSH S/O. CHANDRAKANT JANAMANE
AGED 53 YEARS, OCC. BUSINESS,
R/O. 'KAMAL KUNJ' BUILDING,
YALLAKKISHETTAR COLONY,
P.B.ROAD, DHARWAD-580004.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING, BENGALURU-01,
B ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR.RAJKUMAR RD.
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
4. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580025.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;



SRI. C.V. ANGADI, ADV. FOR R3;
SRI.M.B.HIREMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO.106158/2016 (LA-RES); TO DISMISS W.P.NO.106158/2016 (LA-RES).

IN WA NO.100500 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING, BENGALURU-01,
B ITS PRINCIPAL SECRETARY.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SANTOSH S/O. CHANDRAKANT JANAMANE
AGED 53 YEARS, OCC. BUSINESS,
R/O. 'KAMAL KUNJ' BUILDING,
YALLAKKISHETTAR COLONY,
P.B.ROAD, DHARWAD-580004.
2. THE CHIEF ENGINEER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED,
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.
3. HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPURA DHARWAD,
TQ AND DIST. DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.



5. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580025.

...RESPONDENTS

(BY SRI. C.V. ANGADI, ADV. FOR R2, R3 AND R4;
SRI.M.B.HIREMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE RECORDS IN W.P.NO.106158/2016 AND 21.12.2021 AND AFTER EXAMINING THE SAME.(B) QUASH THE IMPUGNED ORDER DATED 21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.106158/2016.

IN WA NO.100088 OF 2023:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION
R/BY THE COMMISSIONER, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V M SHEELVANT, ADVOCATE)

AND:

1. SHRI. SANTOSH S/O. CHADRAKANT JANAMANE
AGE. 53 YEARS, OCC. BUSIENSS,
R/O. KAMAL KUNJA BUILDING,
YALLKISHETTAR COLONY,
P B ROAD, DHARWAD.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M S BUILDING, BANGALORE- 01.
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD. NO. 16,
J MILLAR TANK BED AREA,
TIMMAYYA ROAD, CROSS, BENGALURU- 560002.
4. HUBBALLI -DHARWAD BRTS COMPANY LTD.
OFFICE OF BRTS, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD.



5. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
6. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.B.SHARANABASAWA, ADV.FOR R4 AND R6;
SRI.C.V.ANGADI, ADV. FOR R3 AND R5;
SRI.M.B.HIREMATH ADV. FOR R1)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, ALLOW THE APPEAL AND SET ASIDE
THE ORDER DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
WP NO. 106158/2016(LA-RES).

IN WA NO.100340 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD. OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSRU
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD. OLD ADDRESS:
HUBBALLI-DHARWAD BRTC CO. LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009,
BY ITS MANAGING DIRECTOR.

...APPELLANTS

(BY SRI. C.V.ANGADI, ADVOCATE)



AND:

1. ANAND S/O CHANDRAKANT JANAMANE
AGED 49 YEARS, OCC. BUSINES
R/O KAMAL KUN BUILDING
YALLAKKISHETTAR COLONY
P.B. ROAD, DHARWAD 580004.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M.S. BUILDING, BENGALURU-01
BY ITS PRINCIPAL SECRETARY.
3. THE CHIEF ENGINEER
KRDCL LIMITED NO. 6
2ND FLOOR, SAMPARKA SOUDHA
OPP. ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR BENGALURU, KARNATAKA 560010.
OLD ADDRESS:
THE CHIEF ENGINEER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED,
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU-560002.
4. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI,
TALUK HUBBALLI 580025, DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.B.SHARANABASAWA, ADV.FOR R4;
SRI.M.B.HIREMATH ADV. FOR R1;
R3-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND
SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.NO.106159/2016(LA-
RES).(B) DISMISS W.P.NO.106159/2016(LA-RES).

IN WA NO.100455 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD 580001.

...APPELLANT

(BY SRI. B. SHARANABASAWA.,ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M S BUILDING, BENGALURU 01,
BY ITS PRINCIPAL SECRETARY.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
NO.16, J-MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALURU 560002.
3. HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR,
KSFC BUILDING,
RAYAPURA, DHARWAD.
TQ. AND DIST.
DHARWAD 580001.
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL, 1ST FLOOR,KSFC BUILDING,
RAYAPUR, DHARAD,
TQ. AND DIST. DHARWAD 580001.
5. ANAND S/O CHANDRAKANT JANAMANE
AGE. 50 YEARS, OCC. BUSINESS,
R/O. KAMAL KUNJ BUILDING,
YALLAKKI SHETTAR COLONY,
P B ROAD, DHARWAD.
TQ. AND DIST. DHARWAD 580004.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.M.B.HIREMATH ADV. FOR R5;
SRI.C.V.ANGADI, ADV. FOR R2 TO R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE
REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY
KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE
JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED
SINGLE JUDGE IN WRIT PETITION NO.106159/2016 BY DISMISSING THE
WRIT PETITION.



IN WA NO.100499 OF 2022:

BETWEEN:

STATE OF KARNATAKA
REP BY THE PRINCIPAL SECRETARY TO GOVT,
DEPT OF URBAN DEVELOPMENT, VIKASA SOUDHA
BENGALURU- 560 001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. ANAND S/O. CHANDRAKANTH JANAMANE
AGED. 50 YEARS, OCC. BUSINESS,
R/O. KAMAL KUNJ, BUILDING
YALLAKKISHETTAR COLONY,
P.B ROAD, TQ. DIST DHARWAD – 580004.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION
LIMMITED NO. 16 J MILLAR TANK BED AREA
TIMMAYYA ROAD CROSS BENGALURU – 560002.
3. HUBLI DHARWAD BRTS COMPANY LTD
OFFICE OF BRTS,
1ST FLOOR KSFC BUILDING
RAYAPUR, DHARWAD,
BY ITS MANAGING DIRECTOR-580009.
4. SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD., 1ST
FLOOR, KSFC BUILDING, RAYAPUR,
DHARWAD-580009.
5. THE COMMISSIONER
HUBBALLI- DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI – 580001.

...RESPONDENTS

(BY SRI.M.B.HIREMATH ADV. FOR R1;
SRI.C.V.ANGADI, ADV. FOR R2 TO R4;
SRI.B.SHARANABASAWA, ADV. FOR R5)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE
RECORDS IN W.P.NO.106159/2016 AND 21.12.2021 AND AFTER



EXAMINING THE SAME.(B) QUASH THE IMPUGNED ORDER DATED 21.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.106159/2016.

IN WA NO.100411 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE ASSISTANT COMMISSIONER,
THE LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
HDBTS OFFICE, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSRU
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTC CO. LTD.,
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.

...APPELLANT

(BY SRI. C V ANGADI,ADVOCATE)

AND:

1. RAMESH S/O SATAPPA KHODANPUR
AGED 85, OCC. BUSINESS
R/O 165/B, DESHPANDE NAGAR,
HUBBALLI 580029, DIST. DHARWAD.
2. THE STATE OF KARNATAKA
REP. BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT



NO. 504, 5TH FLOOR, 4TH GATE
M S BUILDING. AMBEDKAR VEEDHI
BENGALURU 560001.

3. THE COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR
HUBBALLI 580025, DIST. DHARWAD.
4. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION
HUBBALLI 580029, DIST. DHARWAD.
5. THE TAHASILDAR, HUBBALLI TALUK
HUBBALLI 580020, DIST. DHARWAD.
6. THE EXECUTIVE ENGINEER
KRDCL NO. 13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI 580030.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R5;
SRI.V.M.SHEELVANT, ADV. FOR R3;
SRI.B.SHARANABASAWA, ADV. FOR R3;
SRI.K.L.PATIL AND SIR.S.S.BETURMATH, ADV. FOR R1)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT APPEAL AND
SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P. NO. 106269-
106270/2015(LA-RES)B) DISMISS W.P. NO. 106269-106270/2015(LA-RES).

IN WA NO.100440 OF 2022:

BETWEEN:

1. THE STATE OF KARNATAKA
TBY ITS SECRETARY DEPARTMENT OF URBAN
DEVELOPMENT, NO. 504, 5TH FLOOR
4TH GATE, M.S BUILDING,
AMBEDKAR VEEDHI, BENGALURU – 560001.
2. THE TAHASHILDAR HUBBALLI
TALUK HUBBALLI,
DISTRICT DHARWAD 580001.

...APPELLANTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)



AND:

1. RAMESH S/O. SATAPPA KHODANPUR
AGE. 79 YEARS, OCC. BUSINES
R/O. 165/B. DESHPANDE NAGAR
HUBBALLI – 580029, DIST. DHARWAD.
2. THE TOWN PLANNING MEMBER
HUBBALLI- DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR, HUBBALLI – 580025.
DIST. DHARWAD.
3. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL
CORPORATION HUBBALLI,
DIST. DHARWAD – 580028.
4. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, FIRST FLOOR,
KSFC BUILDING RAYAPUR – 580009,
DHARWAD.
5. THE ASSISTNAT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR KSFC BUILDING,
RAYAPUR-580009DHARWAD.
6. EXECUTIVE ENGINEER
KRDCL NO. 13, 3RD MAIN
DOLLARS COLONY NEAR VATSALAYA HOSPITAL
GOKUL ROAD, HUBBALLI - 580030

...RESPONDENTS

(BY SRI.C.V.ANGADI, ADV. FOR R4 TO R6;
SRI.B.SHARANABASAWA, ADV. FOR R2;
SRI.K.L.PATIL AND SIR.S.S.BETURMATH, ADV. FOR R1;
SRI.G.I.GACHCHINAMATH, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) CALL FOR THE RECORDS IN W.P.NO.106269-270/2015 (LA-RES) DATED 22.12.2021, AND AFTER EXAMINING THE SAME.(B) QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.106269-270/2015 (LA-RES).



IN WA NO.100450 OF 2022:

BETWEEN:

THE TOWN PLANNING MEMBER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, NVANAGAR,
TQ. HUBBALLI, DIST. DHARWAD 580001.

...APPELLANT

(BY SRI. B SHARANABASAWA.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.54, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI,
BANGALURU 01.
2. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI TALUK, HUBBALLI,
DIST. DHARWAD.
3. THE TAHASILDAR
HUBBALLI TALUK,
HUBBALLI, DIST. DHARWAD.
4. THE MANAGING DIRECTOR
HUBBALLI -DHARWAD BRTS COMPANY LTD.,
OFICE OF BRTS, FIRST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD
5. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPUR,
DHARWAD.
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI 580030.



7. RAMESH
S/O SATAPPA KHODANPUR
AGED ABOUT 85 YEARS,
OCC. BUSINESS, R/O. 165/B,
DESHPANDE NAGAR,
HUBBALLI 580029.

...RESPONDENTS

- (BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R3;
SRI.C.V.ANGADI, ADV.FOR R4 TO R6;
SRI.K.L.PATIL AND SIR.S.S.BETURMATH, ADV. FOR R7;

SRI.V.M.SHEELVANT, ADV. FOR R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE FOR THE REASONS AND GROUNDS STATED ABOVE THIS HON BLE COURT MAY KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.106270/2015 BY DISMISSING THE WRIT PETITION.

IN WA NO.100054 OF 2023:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION
R/BY ITS THE COMMISSIONER,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V M SHEELVANT.,ADVOCATE)

AND:

1. RAMESH S/O SATAPPA KHODANPUR
AGE. MAJOR, OCC. BUSINESS,
R/O. 165/B, DESHPANDE NAGAR,
HUBBALLI 580029, DIST. DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.
3. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAVANAGAR,



HUBBALLI 560025.

4. THE TAHASILDAR HUBBALLI
TQ. HUBBALLI, DIST. DHARWAD 580001
5. MANAGING DIRECTOR HUBBALLI DHARWAD BRTS CO.LTD.
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD 580009.
6. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER AND KRDCL.
HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
P B ROAD, DHARWAD 09.
7. EXECUTIVE ENGINEER
KRDCL NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R4;
SRI.C.V.ANGADI, ADV.FOR R5 TO R7;
SRI.K.L.PATIL AND SIR.S.S.BETURMATH, ADV. FOR R1;
SRI.B.SHARANABASAWA, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P.NO.106269-106270/2015 (LA-RES),
IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100482 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)



AND:

1. M/S. HEALTHY COUNTRY RESORTS PRIVATE LTD.,
REGISTERED OFFICE: NO. 38, EUREKA JUNCTION,
TRAVELLERS BUNGALOW ROAD, HUBBALLI-580029,
REP. BY ITS MANAGING DIRECTOR,
SRI.DINESH R.PAI, AGE : 57 YEARS.
2. COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K H ROAD, BENGALURU-560002.
3. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
NO.16,2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
4. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD,
5. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD,
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.
7. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI 580029, DIST: DHARWAD.



8. HUBBALLI DHARWD URBAN DEVELOPMENT
AUTHORITY REPRESENTED BY ITS COMMISSIONER,
NAVAANAGAR, TAL : HUBBALLI-580025,
DIST: DHARWAD.

...RESPONDENTS

(BY SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R7;
SRI.C.V.ANGADI, ADV.FOR R3 TO R6;
SRI.B.SHARANABASAWA, ADV. FOR R2 AND R8)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.106557/2015 (LA-RES).(B) TO DISMISS W.P.NO.106557/2015 (LA-RES).

IN WA NO.100496 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT. BUILDING
NEW COURT ROAD, PO. VIDYANAGAR, HOSUR
HUBBALLI 580021, TAL. HUBBALLI
DIST. DHARWAD.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRIS COMPANY LTD.
2ND FLOOR, B BLOCK
NWKRTC NEW DEPOT. BUILDING
NEW COURT ROAD, PO. VIDYANAGAR, HOSUR
HUBBALLI 580021, TAL. HUBBALLI, DIST. DHARWAD

...APPELLANTS

(BY SRI. C V ANGADI.,ADVOCATE)

AND:

1. M/S HEALTHY COUNTY RESORTS PRIVATE LTD
REGISTERED OFFICER NO. 38
EUREKA JUNCTION,
TRAVELLERS BUNGALOW ROAD,
HUBBALLI 580029,
REPRESENTED BY
ITS MANAGING DIRECTOR.



2. THE STATE OF KARNATAKA
REP. BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
NO. 504, 5TH FLOOR, 4TH GATE
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALUTU 560001.
3. THE COMMISSIONER
HUBBALLI-DHARWAD URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTc TIMC B BLOCK
4TH FLOOR, SHANTINAGAR
K H ROAD, BENGALURU 560027.
4. THE CHIEF ENGINEER
KRDCL LIMITED NO. 16
2ND FLOOR, SAMPARKA SOUDHA
OPP ORION MALL, DR. RAJKUMAR ROAD,
RAJAJINAGAR,
BENGALURU KARNATAKA 560010.
5. THE EXECUTIVE ENGINEER
KRDCL NO. 13, 3RD MAIN
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL
GOKUL ROAD, HUBBALLI 580030.
6. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION
DHARWAD 580008.
7. HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, REPRESENTED BY
ITS COMMISSIONER,
NAVANAGAR, TAL. HUBBALLI 580025
DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1;
SRI.M.M.KHANNUR, ADV.FOR R7;
R4, R5-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.106557/2015(LA-RES).(B) TO DISMISS W.P.NO.106557/2015(LA-RES).



IN WA NO.100053 OF 2023:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION
R/BY ITS THE COMMISSIONER,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V M SHEELVANT.,ADVOCATE)

AND:

1. M/S. HEALTHY COUNTY RESORTS PVT. LTD.
REGISTERED OFFICE NO.38,
EUREKA JUNCTION,
TRAVELLERS BUNGLOW ROAD,
HUBLI 580029,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI DINESH R PAI, AGE. 57 YEARS.
2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU 560001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT URBAN
DEVELOPMENT DEPARTMENT,
BMTCL, TIMC B BLOCK,
4TH FLOOR, SHANTI NAGAR,
K H ROAD, BENGALURU 560001.
4. CHIEF ENGINEER
KRDCL NO. 16, J MILLER TANK BED AREA,
TMMYYA ROAD CROSS, BENGALURU 560002.
5. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO.LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD 580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING RAYAPUR,
P B ROAD, DHARWAD 09.



7. EXECUTIVE ENGINEER
KRDCL, NO.16,
3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R4;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1;
SRI.M.M.KHANNUR, ADV.FOR R7;
SRI. C.V.ANGADI, ADV. FOR R3 AND R7
R4, R5-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P.NO.106557/2015 (LA-RES), IN THE
INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100062 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD. 5800001

...APPELLANT

(BY SRI. B SHARANABASAWA.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.
2. THE COMMISSIONER DIRECTORATE OF URBAN
LAND TRANSPORT URBAN DEVELOPMENT
DEPARTMENT, BMTc TIMC B BLOCK,
4TH FLOOR, SHANTINAGAR,
K H ROAD,
BENGALURU 560027.



3. CHIEF ENGINEER
KRDCL LIMITED,
NO. 16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BENGALURU 560002.
4. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, FIRST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD.
5. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
HDBRTS OFFICE, FIRST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD.
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,
NEAR VATSALYA HOSPITAL,
GOKUL ROAD, HUBBALLI 580030.
7. M/S HEALTHY COUNTRY RESORTS PRIVATE LTD.,
REGISTERED OFFICE,
NO. 38, EUREKA JUNCTION,
HUBLI 580029,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI. DINESH R PAI,
AGED ABOUT 56 YEARS, OCC. BUSINESS.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R6;
SRI. C.V.ANGADI, ADV. FOR R2 AND R4;
SRI.VM.SHEELVANT, ADV. FOR R3;
R4, R5-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER
DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.106557/2015, BY DISMISSING THE WRIT PETITION, IN THE
INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100444 OF 2022:

BETWEEN:

HUBBALLI- DHARWAD URBAN DEVELOPMENT AUTHORITY
REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD-580001

...APPELLANT

(BY SRI. B SHARANABASAWA.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.
2. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTc TIMC B BLOCK, 4TH FLOOR,
SHANTINAGAR, K H ROAD,
BENGALURU 560027.
3. CHIEF ENGINEER KRDCL LIMITED
NO.16, J MILLAR TANK BED AREA,
TIMMAYYA ROAD, CROSS,
BENGALURU 560002.
4. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTC, FIRST FLOOR,
KSFC BUILDING,
RAYAPUR, DHARWAD-580003,
NAVANAGAR, TQ. HUBALI,
DIST. DHARWAD.
5. SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
HDBRTS OFFICE, FIRST FLOOR,
KSRF BUILDING, RAYAPUR, DHARWAD-580003.
6. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN,
DOLLARS COLONY,



NEAR VATSALYA HOSPITAL,
GOKUL ROAD, HUBBALLI -580030.

7. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
DHARWAD-580003.
8. M/S SRI KRISHNA MILKS PRIVATE LTD.,
REGISTERED OFFICE, NO. 38,
EUREKA JUNCTION, DESHPANDE NAGAR,
TRAVELLERS BUNGLOW ROAD,
HUBALI 580029.
PLAINT: SRI KRISHNAJI KIRAVATTI VILLAGE,
TQ. YELLAPUR, DIST. UTUTARA KANNADA,
REP. BY ITS MANAGING DIRECTOR,
SRI HANUMANTH M PAI,
AGED ABOUT 67 YEARS,
OCC. BUSINESS, R/O. KIRAVATTI.
9. M/S HARSHAM LOGISTICS PRIVATE LIMITED
REG. OFFICE 38, II FLOOR,
EUREKA JUNCTION, T B ROAD,
HUBBALLI 580029, DHARWAD,
REP. BY SRI DINESH S/O RAMDAS PAI,
DIRECTOR AND AUTHORISED SIGNATORY.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R8 AND R9;
SRI. C.V.ANGADI, ADV. FOR R3 TO R6;
SRI.V.M.SHEELVANT, ADV. FOR R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE FOR THE
REASONS AND GROUNDS STATED ABOVE THIS HON BLE COURT MAY
KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE
JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED
SINGLE JUDGE IN WRIT PETITION NO.106558/2015 BY DISMISSING THE
WRIT PETITION



IN CCC NO.100272 OF 2022:

BETWEEN:

M/S. HARSHAM LOGISTICS PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE PROVISION
OF THE COMPANIES ACT, HAVING ITS REGISTERED OFFICE
AT 38, II FLOOR, EUREKA JUNCTION,
T. B. ROAD, HUBBALLI-580029, DHARWAD,
R/BY SRI. DINESH S/O. RAMDAS PAI,
DIRECTOR AND AUTHORISED SIGNATORY

...COMPLAINANT

(BY SRI. ARAVIND KAMATH, SENIOR COUNSEL FOR
SRI. KINI NAGPRASAD SURESH, ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580007.

...ACCUSED

2. THE STATE OF KARNATAKA

....PROFORMA RESPONDENT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
R1-NOTICE NOT ORDERED)

THIS CONTEMPT PETITION IS FILED UNDER SECTION 11 AND 12
OF THE CONTEMPT OF COURTS ACT, 1971, R/W. ARTICLE 215 OF
CONSTITUTION OF INDIA,1950, PRAYING THIS HON BLE COURT BE
PLEASED TO, A. ALLOW THIS PETITION AND CONSEQUENTLY INITIATE
CONTEMPT PROCEEDINGS AGAINST THE ACCUSED FOR HIS WILLFUL
AND DELIBERATE DISOBEDIENCE OF THE FINAL ORDER DATED
22.12.2021 PASSED BY THIS HON BLE COURT IN WRIT PETITION
NO.106558 OF 2015 PRODUCED HEREWITH AND MARKED AS
ANNEXURE-A IN THE INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100492 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSRU
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD. OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.

...APPELLANTS

(BY SRI. C V ANGADI.,ADVOCATE)

AND:

1. M/S. SRI KRISHNA MILKS PRIVATE LTD.,
REGISTERED OFFICE NO. 38, EUREKA JUNCTION,
TRAVELLERS BUNGALOW ROAD,
HUBBALLI-580029, PLANT SRI KRISHNAGIRI
KIRAVATTI VILLAGE, TQ. YELLAPUR
DIST. UTTAR KANNADA
REP BY ITS MANAGING DIRECTOR
SRI. MANJUNATH M PAI, AGE 67 YEARS,
OF KIRWATI.
2. M/S. HARSHAM LOGISTICS PRIVATE LIMITED
A COMPANY INCORPORATED UNDER
THE PROVISIONS OF THE COMPANIES ACT



HAVING ITS REGISTERED OFFICE AT NO. 38,
II FLOOR, EUREKA JUNCTION, T B ROAD,
HUBBALLI 580029, TALUK HUBBALLI
DIST. DHARWAD, REPRESENTED BY ITS
DIRECTOR AND AUTHORISED SIGNATORY.

3. THE STATE OF KARNATAKA
REP BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.
4. THE COMMISSIONER
DIRECTORATE OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTCL TIMC B BLOCK
4TH FLOOR, SHANTINAGAR, K H ROAD,
BENGALURU 560027.
5. THE CHIEF ENGINEER
KRDCL LIMITED,
NO. 16, 2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR,
BENGALURU, KARNATAKA 560010.
6. THE EXECUTIVE ENGINEER
KRDCL NO. 13, 3RD MAIN,
DOLLARS COLONY, NEAR VATSALAYA HOSPITAL
GOKUL ROAD, HUBBALLI 580030.
7. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION
DHARWAD – 580008.
8. HUBBALLI DHARWAD URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER
NAVANAGAR TALUK HUBBALLI-580025
DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3 AND R4;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1 AND R2;
SRI. C.V.ANGADI, ADV. FOR R3 TO R6;
SRI.B.SHARANABASAWA, ADV. FOR R8;
R5 AND R6-DISPENSED WITH)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP NO.106558/2015 (LA-RES).(B) TO DISMISS WP NO.106558/2015(LA-RES).

IN WA NO.100016 OF 2023:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
NO.504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU- 560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. M/S SRI KRISHNA MILKS PRIVATE LTD.,
REGISTERED OFFICE, NO. 38,
EUREKA JUNCTION, DESHPANDE NAGAR,
TRAVELLERS BUNGLOW ROAD,
HUBALI 580029.
PLAINT: SRI KRISHNAJI KIRAVATTI VILLAGE,
TQ. YELLAPUR, DIST. UTUTARA KANNADA,
REP. BY ITS MANAGING DIRECTOR,
SRI HANUMANTH M PAI,
AGED ABOUT 68 YEARS,
OCC. BUSINESS, R/O. KIRAVATTI.
2. M/S HARSHAM LOGISTICS PRIVATE LIMITED
A COMPANY INCORPORATED UNDER
THE PROVISIONS OF THE COMPANIES ACT,
HAVING ITS REGISTERED OFFICE 38, II FLOOR,
EUREKA JUNCTION, T B ROAD,
HUBBALLI 580029, DHARWAD,
REP. BY SRI DINESH S/O RAMDAS PAI,
DIRECTOR AND AUTHORISED SIGNATORY.
3. THE COMMISSIONER
DIRECTORATE OF URBN LAND TRANSPORT
URBAN DEVELOPMENT BMTc TIMC 'B' BLOCK,
4TH FLOOR, SHANTINAGAR, K.H.ROAD,



BENGALURU-560002.

4. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
NO.16,2ND FLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR. RAJKUMAR RD,
RAJAJINAGAR, BENGALURU,
KARNATAKA-560010.
5. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD,
6. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD,
7. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.
8. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION
DHARWAD – 580008.
9. HUBBALLI DHARWAD URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER
NAVANAGAR TALUK HUBBALLI-580025
DIST. DHARWAD.

...RESPONDENTS

(BY SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1 AND R2;
SRI. C.V.ANGADI, ADV. FOR R4 TO R7;
SRI.B.SHARANABASAWA, ADV. FOR R9;
SRI. V.M.SHEELVANT, ADV. FOR R8
R3-SERVED)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS WRIT APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P. NO. 106558/2015(LA-RES).

IN WA NO.100098 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V M SHEELVANT.,ADVOCATE)

AND:

1. M/S SRI KRISHANA MILKS PVT LTD.
REGISTERED OFFICE NO. 38,
EUREKA JUNCTION, DESHPANDE NAGAR
TRAVELLERS BUNGLOW ROAD
HUBLI-580029, PLANT: SRI KRISHAGIRI,
KIRAVATTI VILLAGE, TQ. YELLAPUR,
DIST. UTTAR KANNADA,
R/BY ITS MANAGING DIRECTOR
SRI HANUMANTH M PAI,
AGE. 68 YEARS, R/O KIRWATTI.
2. M/S HARSHAM LOGISTICS PVT. LTD
A COMPANY INCORPORATED UNDER
THE PROVISIONS OF THE COMPANIES ACT,
HAVING ITS REGISTERED OFFICE AT 38 II FLOOR,
EUREKA JUNCTION, T. B. ROAD, HUBBALLI-580029
DHARWAD, REPRESENTED BY
SRI DINESH S/O RAMDAS PAI
DIRECTOR AND AUTHORISED SIGNATORY.
3. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY URBAN DEVELOPMENT
NO. 504, 5TH FLOOR, 4TH GATE
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
4. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTc, TIMC A BLOCK, 4TH FLOOR, SHANTI NAGAR
K.H.ROAD BENGALURU.



5. CHIEF ENGINEER
KRDCL NO. 16, J MILLER TANK BED AREA
TIMMAYYA ROAD CROSS
BENGALURU-560002.
6. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD
1ST FLOOR, KSFC BUILDING
RAYAPUR, P B ROAD,
DHARWAD 580009.
7. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER
KRDCL, HDBRTSC OFFICE
1ST FLOOR, KSFC BUILDING RAYAPUR
P B ROAD, DHARWAD 9.
8. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD
DOLLARS COLONY
NEAR VASTALLYA HOSPITAL
GOKUL ROAD, HUBLI.
9. HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY REP BY ITS COMMISSIONER,
NAVANAGAR, TQ AND DIST. DHARWAD 580001.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3;
SRI. ARVIND KAMATH, SENIOR COUNSEL FOR
SRI.N.S.KINI, ADV. FOR R1 AND R2;
SRI. C.V.ANGADI, ADV. FOR R5 TO R8;
SRI.B.SHARANABASAWA, ADV. FOR R4 & R9)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.106558/2015 (LA-RES), IN THE INTEREST OF JUSTICE AND
EQUITY.

IN WA NO.100375 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,



HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
DHARWAD-580009.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSUR
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.

...APPELLANTS

(BY SRI. C V ANGADI.,ADVOCATE)

AND:

1. SMT RUKMINI @ RUKMINIBAI W/O SHRIDHAR KALAL
AGED 67 YEARS, OCC. HOUSE WIFE,
R/O NEAR LAXMI TALKIES, BHOVI GALLI,
DHARWAD, TQ AND DIST. DHARWAD-580008.
2. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF URBAN DEVELOPMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.
3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION
HUBBALLI 580029, DIST. DHARWAD.
4. THE EXECUTIVE ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD
NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY, NEAR VASTALLYA HOSPITAL
GOKUL ROAD, HUBBALLI 580030.

...RESPONDENTS



(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.V.M.SHEELVANT, ADV. FOR R3;
R1-SERVED;
R4-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN WP
NO.107889/2016 (LA-RES).B) DISMISS W.P. NO.107889/2016 (LA-RES).

IN WA NO.100423 OF 2022:

BETWEEN:

1. HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD 580001.

...APPELLANT

(BY SRI. B SHARANABASAWA.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
NO.504, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU 560001.
2. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
3. THE SPECIAL LAND ACQUISITION OFFICER
AND THE ASSISTANT COMMISSIONER,
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD.
4. THE MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS COMPANY LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD,
DHARWAD 580009
NAVANAGAR, TQ. HUBALI,
DIST. DHARWAD.



5. THE EXECUTIVE ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI.

6. SMT. RUKMINI ALIAS RUKMINIBAI
W/O SHRIDHAR KALAL
AGED ABOUT 68 YEARS,
OCC. HOUSEWIFE,
R/O. NEAR LAXMI TALKIES,
BHOVI GALLI, DHARWAD,
TQ. AND DIST. DHARWAD 580008

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.V.M.SHEELVANT, ADV. FOR R2;
SRI. C.V.ANGADI, ADV. FOR R3 TO R5;
R6-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, ALLOW THIS APPEAL
AND SET ASIDE THE JUDGMENT AND ORDER DATED 22.12.2021,
PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.
107889/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100073 OF 2023:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION HUBBALLI,
BY ITS COMMISSIONER,
DIST. DHARWAD-580009.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. SMT. RUKMINI ALIAS RUKMINIBAI
W/O. SHRIDHAR KALAL,
AGED ABOUT 64 YEARS,
OCC. HOUSEWIFE,
R/O. NEAR LAXMI TALKIES,
BHOVI GALLI, DHARWAD,
TQ. AND DIST. DHARWAD-580008.



2. THE STATE OF KARNATAKA,
R/BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
3. THE SPECIAL LAND ACQUISITION OFFICER
AND THE ASSISTANT COMMISSIONER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
P.B. ROAD, RAYAPUR,
DHARWAD-580009.
4. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B. ROAD,
DHARWAD-580009.
5. THE EXECUTIVE ENGINEER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI. C.V.ANGADI, ADV. FOR R3 TO R5;
R1-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NO. 107889/2016 (LA-RES).

IN WA NO.100318 OF 2022:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,



HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:
THE SPECIAL LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
DHARWAD-580009.

2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD,
PO VIDYANAGAR HOSUR
HUBBALLI 580021, TALUK HUBBALLI
DIST. DHARWAD.
OLD ADDRESS:
MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.

...APPELLANTS

(BY SRI. C. V. ANGADI, ADVOCATE)

AND:

1. SANJAY S/O. SHANKARAPPA SHETTEMMAVAR
AGE. 47 YEARS, OCC. BUSINESS
R/O. 38/4, SHOBHA, SUNAGAR CHAWAL
OPP. DISTRICT COURT COMPLEX,
P.B.ROAD, DHARWAD-580008.
2. SMT BHAGYALAXMI W/O. SANJAY SHETTEMMAVAR
AGE. 42 YEARS, OCC. HOUSEHOLD
R/O. 38/4, SHOBHA, SUNAGAR CHAWAL
OPP. DISTRICT COURT COMPLEX,
P.B.ROAD, DHARWAD-580008.
3. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M.S.BUILDING, BENGALURU-01
BY ITS PRINCIPAL SECRETARY.
4. THE CHIEF ENGINEER
KRDCL LIMITED NO.16
2ND FLOOR, SAMPARKA SOUDHA
OPP ORION MALL, DR RAJKUMAR ROAD,
RAJAJINAGAR, BENGALURU,



KARNATAKA-560010.
OLD ADDRESS:
THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
NO.16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE-560002.

5. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI-580025.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3;
SRI. B.SHARANABASAWA, ADV. FOR R5;
R1 AND R2-SERVED;
R4-DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.
NO. 109564-109565/2016 (LA-RES); TO DISMISS W.P. NO. 109564-
109565/2016(LA-RES).

IN WA NO.100454 OF 2022:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, NAGANAGAR,
TQ. HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT,
M S BUILDING, BENGALURU 01,
BY ITS PRINCIPAL SECRETARY.
2. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED, NO.16,
J MILLAR TANK BED AREA,
TIMMAYYA ROAD CORSS,
BENGALURU-560002.



3. HUBLI DHARWAD BRTS COMPANY LTD.,
OFFICE OF BRTS, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD,
BY ITS MANAGING DIRECTOR.
4. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.
5. SANJAY S/O. SHANKARAPPA SHETTEMMAVAR
AGED ABOUT 48 YEARS,
OCC. BUSINESS, R/O. 38/4, 'SHOBA',
SUNAGAR CHAWL, OPP. DISTRICT COURT
COMPLEX, P B ROAD, DHARWAD.
6. SMT. BHAGYALAXMI W/O. SANJAY SHETTEMMAVAR
AGE. 43 YEARS, OCC. HOUSEHOLD,
R/O. 38/4, 'SHOBA', SUNAGAR CHAWL,
OPP. DISTRICT COURT COMPLEX,
P B ROAD, DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI. C.V.ANGADI, ADV. FOR R2 TO R4;
R6-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, WHEREFORE, FOR THE
REASONS AND GROUNDS STATED ABOVE, THIS HON BLE COURT MAY
KINDLY BE PLEASED TO ALLOW THIS APPEAL AND SET ASIDE THE
JUDGMENT AND ORDER DATED 22.12.2021 PASSED BY THE LEARNED
SINGLE JUDGE IN WRIT PETITION NO.109564-109565/2016 BY
DISMISSING THE WRIT PETITION.

IN WA NO.100567 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY TO GOVT.,
DEPT. OF URBAN DEVELOPMENT,
VIKASA SOUDHA, BENGALURU-560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)



AND:

1. SANJAY S/O. SHANKRAPPA SHETTEMMAVAR
AGED ABOUT 48 YEARS,
OCC. BUSIENSS, R/O. 38/4, 'SHOBA',
SUNAGAR CHAWL, OPP. DISRICT COURT
COMPLEX, P B ROAD, TQ AND DIST: DHARWAD.
2. SMT. BHAGYALAXMI W/O. SANJAY SHETTEMMAVAR
AGE. 43 YEARS, OCC. HOUSEHOLD,
R/O. 38/4, 'SHOBA', SUNAGAR CHAWL,
OPP. DISTRICT COURT COMPLEX,
P B ROAD, TQ AND DIST: DHARWAD.
3. THE CHIEF ENGINEER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED, NO.16,
J MILLER TANK BED AREA,
TMMAYYA ROAD CROSS,
BENGALURU -560002.
4. HUBBALLI- DHARWAD BRTC COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR
2ND FLOOR, B BLOCK,
HOSUR INTERCHANGE BUILDING,
NEW COURT ROAD,
PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021, TALUK: HUBBALLI,
DIST: DHARWAD.
5. THE SPECIAL LAND ACQUISITION OFFICER
KRDCL/HDBRTS, 2ND FLOOR, B BLOCK,
HOSUR INTERCHANGE BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR, HOSUR,
HUBBALLI-580021,
TALUK: HUBBALLI,
DIST: DHARWAD.
6. THE COMMISSIONER
HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI.

...RESPONDENTS

(BY SRI. C.V.ANGADI, ADV. FOR R3 TO R5;
SRI.B.SHARANABASAWA, ADV. FOR R6;
SRI. V.M.SHEELVANT, ADV. FOR R4;
R1 AND R2-SERVED)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, A) CALL FOR THE RECORDS IN WP NO. 109564-109565/2016 DATED 22.12.2021, AND AFTER EXAMINING THE SAME.B) QUASH THE IMPUGNED ORDER DATED 22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO. 109564-109565/2016.

IN WA NO.100295 OF 2022:

BETWEEN:

HUBBALLI-DHARWAD MUNICIAPAL CORPORATION
R/BY ITS- THE COMMISSIONER,
HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. SANJAY S/O. SHANKARAPPA SHETTEMMAVAR
AGED 47 YEARS, OCC. BUSINESS,
R/O. 38/4, SHOBHA, SUNAGAR CHAWAL,
OPP. DISTRICT COURT COMPLEX,
P B ROAD, DHARWAD.
2. SMT. BHAGYALAXMI
W/O. SANJAY SHETTEMMAVAR,
AGED 43 YEARS, OCC. HOUSEHOLD,
R/O. 38/4, SHOBHA SUNAGAR CHAWAL,
OPP. DISTRICT COURT COMPLEX,
P B ROAD, DHARWAD.
3. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M S BUILDING, BENGALURU -01,
BY ITS PRINCIPAL SECRETARY.
4. CHIEF ENGINEER, KRDCL NO.16,
J MILLER TANK BED AREA,
TMMAYYA ROAD CROSS,
BENGALURU-560002.
5. HUBBALLI DHARWAD BRTS COMPANY LTD.
OFFICE OF BRTS, 1ST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD,
BY ITS MANAGING DIRECTOR.



6. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., 1ST FLOOR,
KSFC BUILDING, RAYAPUR, DHARWAD.
7. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LIMITED/HDBRTS.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3;
SRI. C.V.ANGADI, ADV. FOR R4 TO R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.109564-109565/2016 (LA-RES), IN THE INTEREST OF JUSTICE
AND EQUITY.

IN WA NO.100563 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. SMT. ANJANA W/O. BASAVARAJA BAVALATTI
SINCE DECEASED BY HER LRS.,
- 1(A). BASAVARAJ S/O. NAGAPPA BAVALATTI
AGE: 69 YEARS, OCC: RETD.,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.
- 1(B). SMT. SHRUTI W/O. ABHISHEK PATIL
AGE: 34 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR,
MALAMARUTI EXTENSION, BELAGAVI.



- 1(C). SMT. TRUPTI W/O. KUSHAL YALAMALI
AGE: 32 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.
2. THE LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPURA, DHARWAD-580009.
3. THE DEPUTY DIRECTOR
TOWN PLANING, HUBBALLI-DHARWD
MUNICIPAL CORPORATION, HUBBALLI,
DIST: DHARWAD-580001.

...RESPONDENTS

(BY SRI.K.L.PATIL, ADV. FOR R1(A) TO R1(C);
SRI. C.V.ANGADI, ADV. FOR R3;
SRI. V.M.SHEELVANT, ADV. FOR R2)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, CALL FOR THE
RECORDS IN W.P. NO. 12114/2017 (LA-RES) DATED 22.12.2021, AND
AFTER EXAMINING THE SAME; QUASH THE IMPUGNED ORDER DATED
22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.
112114/2017(LA-RES).

IN WA NO.100477 OF 2022:

BETWEEN:

HUBBALLI DHARWAD MUNICIPAL CORPORATION HUBBALLI,
DIST. DHARWAD,
BY ITS COMMISSIONER.

...APPELLANT

(BY SRI. V M SHEELVANT, ADVOCATE)

AND:

1. SMT. ANJANA W/O. BASAVARAJA BAVALATTI
SINCE DECEASED BY HER LRs.,
- 1(A). BASAVARAJ S/O. NAGAPPA BAVALATTI
AGE: 69 YEARS, OCC: RETD.,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.



1(B). SMT. SHRUTI W/O. ABHISHEK PATIL
AGE: 34 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.

1(C). SMT. TRUPTI W/O. KUSHAL YALAMALI
AGE: 32 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.

2. THE STATE OF KARNATAKA
R/BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.

3. THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT,
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580009.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.K.L.PATIL, ADV. FOR R1(A) TO R1(C);
SRI. C.V.ANGADI, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, WHEREFORE, THE
APPELLANT MOST RESPECTFULLY PRAYS THAT THIS HON BLE COURT
BE PLEASED TO ALLOW THE APPEAL AND SET ASIDE THE ORDER
DATED.22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.
NO.112114/2017 (LA-RES).

IN WA NO.100057 OF 2023:

BETWEEN:

THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., 2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR HOSUR,
HUBBALLI -580021, TALUK. HUBBALLI,
DIST. DHARWAD.
OLD ADDRESS:



THE ASSISTANT COMMISSIONER
LAND ACQUISITION OFFICER,
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD., HDBRTS OFFICE,
FIRST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD.

...APPELLANT

(BY SRI. C V ANGADI.,ADVOCATE)

AND:

1. SMT. ANJANA W/O. BASAVARAJA BAVALATTI
SINCE DECEASED BY HER LRs.,
- 1(A). BASAVARAJ S/O. NAGAPPA BAVALATTI
AGE: 69 YEARS, OCC: RETD.,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.
- 1(B). SMT. SHRUTI W/O. ABHISHEK PATIL
AGE: 34 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.
- 1(C). SMT. TRUPTI W/O. KUSHAL YALAMALI
AGE: 32 YEARS, OCC: PVT. SERVICE,
R/O. NO. 6641, SECTOR 10, ANJANEYANAGAR, MALAMARUTI
EXTENSION, BELAGAVI.
2. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
3. THE DEPUTY DIRECTOR
TOWN PLANNING,
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI.K.L.PATIL, ADV. FOR R1(A) TO R1(C);
SRI. V.M.SHEELVANT, ADV. FOR R3)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON'BLE COURT TO, PLEASED TO A) TO ALLOW THE WRIT APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED IN WP NO. 112114/2017 (LA-RES); TO DISMISS W.P. NO. 112114/2017 (LA-RES).

IN WA NO.100523 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. DILIPKUMAR S/O. BABULAL MUNOTH
AGED: 43 YEARS, OCC: BUSINESS,
R/O: F-9, FIRST FLOOR, KALYANI COMFORTS,
BEHIND JAIN MANDIR ROAD, KUSUGAL ROAD,
KESHWAPUR HUBBALLI, TALUK: HUBBALLI,
DIST: DHARWAD.
2. THE COMMISSIONER
DIRECTOR OF URBN LAND TRANSPORT
URBAN DEVELOPMENT BMTCL TIMC 'B' BLOCK,
4TH FLOOR, SHANTINAGAR, K.H.ROAD,
BENGALURU-560002.
3. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, TAL: HUBBALLI, DIST: DHARWAD.
4. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND CLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR RAJKUMAR RD.
RAJAJINAGAR, BENGALURU, KARNATAKA-560010.
5. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,



NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALLI, DIST. DHARWAD.

6. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD.
7. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI.K.L.PATIL, ADV. FOR R1;
SRI. V.M.SHEELVANT, ADV. FOR R3;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7;
R2-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.104728/2016 (LA-RES).(B) TO DISMISS W.P.NO.104728/2016 (LA-
RES).

IN WA NO.100085 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD MUNICIPAL CORPORATION
R/BY THE COMMISSIONER,
HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V.M.SHEELVANT, ADVOCATE)

AND:

1. DILIPKUMAR S/O. BABULAL MUNOTH
AGE. 44 YEARS, OCC. BUSINESS,
R/O. F-9, 1ST FLOOR,
KALYANI CONFORTS BEING JAIN MANDIR,
KUSUGAL ROAD, KESHWAPUR HUBBALLI,
DIST. DHARWAD-580001.



2. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT,
NO.504, 5TH FLOOR,
4TH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU-560001.
3. THE COMMISSIONER DIRECTOR OF URBAN LAND
TRANSPORT URBAN DEVELOPMENT DEPARTMENT
BMTc, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD,
BENGALURU-560002.
4. THE CHIEF ENGINEER
KRDCL NO.16,
J MILLER TANK BED AREA,
TMMAYYA ROAD CROSS,
BENGALURU-560002.
5. MANAGING DIRECTOR
HUBBALLI DHARWAD BRIS CO.LTD.
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER, KRDCL,
HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
P B ROAD, DHARWAD-09.
7. EXECUTIVE ENGINEER KRDCL
NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI.K.L.PATIL, ADV. FOR R1;
SRI. C.V.ANGADI, ADV. FOR R4 TO R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P.NO.104728/2016 (LA-RES), IN THE
INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100126 OF 2023:

BETWEEN:

HUBBALLI -DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP.BY ITS COMMISSIONER,
NAVANAGAR, TQ. HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 4TH FLOOR, 4TH GATE
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU-01.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT
BMTc, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD,
BENGALURU-560002.
3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD-580001.
4. CHIEF ENGINEER
KRDCL NO.16,
N MILLER TANK BED AREA,
TMMAYYA ROAD CROSS,
BENGALORE-560002.
5. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO.LTD.
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISANT COMMISSIONER, KRDCL,
HDBRTSC OFFICE, 1ST FLOOR,
KSFC BUILDING, RAYAPUR,
P B ROAD, DHARWAD-09.



7. EXECUTIVE ENGINEER, KRDCL,
NO. 16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580001.
8. DILIPKUMAR S/O. BABULAL MUNOTH
AGE. 44 YEARS, OCC. BUSINESS,
R/O. F-9, 1ST FLOOR,
KALYANI CONFORTS BEING JAIN MANDIR,
KUSUGAL ROAD, KESHWAPUR HUBBALLI,
DIST. DHARWAD-580001.

...RESPONDENT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1;
SRI.K.L.PATIL, ADV. FOR R8;
SRI. C.V.ANGADI, ADV. FOR R4 TO R7;
SRI.V.M.SHEELVANT, ADV. FOR R3)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT BE PLEASED TO ALLOW
THIS APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED
22.12.2021 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION
NO. 104728/2016 BY DISMISSING THE WRIT PETITION.

IN WA NO.100129 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION, HUBBALLI,
DIST. DHARWAD.

...APPELLANT

(BY SRI. V M SHEELVANT, ADVOCATE)

AND:

1. CHAMANSAB S/O. ALLABHKSHA PATHAN
AGED 57 YEARS, R/O: P.B.ROAD, DHARWAD.
2. ADAMKHAN S/O. ALLABHAKSHA PATHAN
AGED 45 YEARS, R/O. P.B.ROAD, DHARWAD.
3. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
URBAN DEVELOPMENT DEPARTMENT,



NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.

4. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT DEPARTMENT,
BMTCL, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR K.H.ROAD,
BENGALURU-560002.
5. CHEIF ENGINEER
KRDCL, NO. 16 J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BENGALURU-560002.
6. MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-580009.
7. SPL. LAND ACQUISITION OFFICER
AND THE ASSITANT COMMISSIONER KRDCL,
HDBRTSC OFFICE 1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD, DHARWAD-09.
8. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD
DOLLORS COLONY, NEAR VASTALLAYA
HOSPITAL, GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R3;
SRI. C.V.ANGADI, ADV. FOR R5 TO R8)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT BE PLEASED TO, ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P. NO. 103483/2016(LA-RES).

IN WA NO.100056 OF 2023:

BETWEEN:

HUBBALLI -DHARWAD MUNICIPAL CORPORATION
R/BY ITS THE COMMISSIONER
HUBBALLI, DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. V M SHEELVANT.,ADVOCATE)



AND:

1. ANAND S/O. CHANDRAKANT JANAMANE
AGED. 50 YEARS, OCC. BUSINESS,
R/O: KAMAL KUNJA, BUILDING,
YALAKKISHETTAR COLONY,
P.B.ROAD, DHARWAD-580001.
2. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,
M S BUILDING, BENGALURU-01,
BY ITS PRINCIPAL SECRETARY.
3. CHIEF ENGINEER
KRDCL NO. 16, J MILLER TANK BED AREA
TIMMAYYA ROAD CROSS, BENGALURU-560002.
4. HUBBALLI DHARWAD BRTS COMPANY LTD
OFFICE OF BRTS, 1ST FLOOR, KSFC BUILDING,
RAYAPUR, DHARWAD-580001,
BY ITS MANAGING DIRECTOR.
5. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
1ST FLOOR, KSFC BUILDING
RAYAPUR, DHARWAD-580001.
6. THE COMMISSIONER
HUBBALLI DHARWAD URBAN DEVELOPMENT
AUTHORITY, HUBBALLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI. C.V.ANGADI, ADV. FOR R3 TO R5;
SRI. B.SHARANABASAWA, ADV. FOR R6)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW
THE APPEAL AND SET ASIDE THE ORDER DATED 22/12/2021 PASSED BY
THE LEARNED SINGLE JUDGE IN W.P.NO.106159/2016 (LA-RES), IN THE
INTEREST OF JUSTICE AND EQUITY.



IN WA NO.100298 OF 2023:

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT
CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
SPECIAL AND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER,
KRDCL, HDBRTSC BUILDING, 1ST FLOOR,
KSFC BUILDING, P.B.ROAD,
DHARWAD-580009.
2. THE MANAGING DIRECTOR
HUBBALLI-DHARWAD BRTS COMPANY LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD,
OLD ADDRESS:
MANAGING DIRECOTR,
HUBBALLI-DHARWAD BRTS CO. LTD.,
1ST FLOOR, KSFC BUILDING, RAYAPUR,
P.B.ROAD, DHARWAD-580009.

...APPELLANT

(BY SRI. C V ANGADI.,ADVOCATE)

AND:

1. DILIPKUMAR S/O. BABULAL MUNOTH
AGED. 43 YEARS, OCC. BUSINESS,
R/O. F-9, FIRST FLOOR,
KALYANI COMFORTS,
BEHIND JAIN MANDIR ROAD,
KUSUGAL ROAD,
KESHWAPUR HUBBALLI,
TALUK. HUBBALLI, DIST. DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY THE SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
504-5TH FLOOR, 4TH GATE,



M S BUILDING, AMBEDKAR VEEDHI,
BENGALURU 560001.

3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT URBAN
DEVELOPMENT DEPARTMENT,
BMTCL, B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD,
BENGALURU 560002.
4. THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, TAL. HUBBALLI, DIST. DHARWAD.
5. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16, 2ND FLOOR,
SAMPARKA SOUDA, OPP ORION MALL,
DR. RAJKUMAR ROAD, RAJAJINAGAR,
BENGALURU, KARNATAKA 560010,
OLD ADDRESS:
CHIEF ENGINEER
KRDCL NO. 16, J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS, BANGALORE-560002.
6. THE EXECUTIVE ENGINEER
KRDCL NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI 580030.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2;
SRI. K.L.PATIL, ADV. FOR R1;
SRI. B.SHARANABASAWA, ADV. FOR R3;
SRI.V.M.SHEELVANT ADV. FOR R4)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT,
1961, PRAYING THIS HON'BLE COURT TO, (A) ALLOW THIS WRIT APPEAL AND
SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN W.P.NO.104728/2016 (LA-
RES)(B) DISMISS W.P.NO.104728/2016 (LA-RES).

IN WA NO.100430 OF 2022:

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,



NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.

...APPELLANT

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV.)

AND:

1. GIRISH S/O. SHANKARAO CHINCHORE
SINCE DECEASED BY HIS LRs.,
- 1(A). SMT. SUJATA W/O. GIRISH CHINCHORE
AGE: 52 YEARS, OCC: HOUSEWIFE,
R/O. MARATHA COLONY, DHARWAD.
- 1(B). CHINMAYA W/O. GIRISH CHINCHORE
AGE: 28 YEARS, OCC: PVT. SERVICE,
R/O. MARATHA COLONY, DHARWAD.
2. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT
URBAN DEVELOPMENT, BMTc TIMC 'B' BLOCK,
4TH FLOOR, SHANTINAGAR, K.H.ROAD,
BENGALURU-560002.
3. THE COMMISSIONER
HUBBALLI -DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, TAL: HUBBALLI, DIST: DHARWAD.
4. THE CHIEF ENGINEER
KRDCL LIMITED, NO.16,
2ND CLOOR, SAMPARKA SOUDHA,
OPP ORION MALL, DR RAJKUMAR RD.
RAJAJINAGAR, BENGAKLURU, KARNATAKA-560010.
5. THE MANAGING DIRECTOR
HUBBALLI - DHARWAD BRTS COMPANY LTD,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,
NEW COURT ROAD, PO. VIDYANAGAR,
HOSUR, HUBBALLI-580021
TALUK. HUBBALI, DIST. DHARWAD.
6. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA ROAD DEVELOPMENT CORPORATION LTD.,
2ND FLOOR, B BLOCK,
NWKRTC NEW DEPOT BUILDING,



NEW COURT ROAD, PO: VIDYANAGAR,
HOSUR, HUBBALLI-580021,
TALUK: HUBBALLI, DIST: DHARWAD.

7. THE EXECUTIVE ENGINEER
KRDCL NO.13, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VATSALAYA HOSPITAL,
GOKUL ROAD, HUBBALLI-580030.

...RESPONDENTS

(BY SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADVOCATES FOR
R1(A) & R1(B);
SRI. G.I.GACHCHINAMATH, ADV. FOR R3;
SRI.C.V.ANGADI, ADV. FOR R4 TO R7;
R2-SERVED)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON'BLE COURT TO, (A) ALLOW THIS WRIT
APPEAL AND SET ASIDE THE ORDER DATED 22-12-2021 PASSED IN
W.P.NO.103485/2016 (LA-RES); TO DISMISS W.P.NO.103485/2016 (LA-
RES).

IN WA NO.100071 OF 2023:

BETWEEN:

HUBBALLI-DHARWAD URBAN DEVELOPMENT
AUTHORITY, REP. BY ITS COMMISSIONER,
NAVANAGAR, TQ: HUBBALLI,
DIST. DHARWAD-580001.

...APPELLANT

(BY SRI. B.SHARANABASAWA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
NO.504, 5TH FLOOR,
4RTH GATE, M S BUILDING,
AMBEDKAR VEEDHI, BENGALURU-5600001.
2. THE COMMISSIONER DIRECTOR OF URBAN LAND
TRANSPORT URBAN DEVELOPMENT DEPARTMENT
BMTc, TIMC B BLOCK, 4TH FLOOR,
SHANTI NAGAR, K H ROAD, BENGALURU-560002.



3. THE COMMISSIONER
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, DIST. DHARWAD.
4. CHIEF ENGINEER
KRDCL NO.16,
J MILLER TANK BED AREA,
TIMMAYYA ROAD CROSS,
BANGALORE -560002.
5. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS COMPANY LTD.,
1ST FIRST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER AND
THE ASSISTANT COMMISSIONER
KRDCL, HDBRTS OFFICE,
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P B ROAD, DHARWAD-580009.
7. EXECUTIVE ENGINEER, KRDCL,
NO.16, 3RD MAIN ROAD,
DOLLARS COLONY,
NEAR VASTALLYA HOSPITAL,
GOKUL ROAD, HUBBALLI.
8. GIRISH S/O. SHNAKARAO CHINDHORE
SINCE DECEASED BY HIS LRs.,
- 8(A). SMT. SUJATA W/O. GIRISH CHINCHORE
AGE: 52 YEARS, OCC: HOUSEWIFE,
R/O. MARATHA COLONY, DHARWAD.
- 8(B). CHINMAYA W/O. GIRISH CHINCHORE
AGE: 28 YEARS, OCC: PVT. SERVICE,
R/O. MARATHA COLONY, DHARWAD.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R1 AND R2;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADVOCATES FOR
R1(A) & R1(B);
SRI. B.SHARANABASAWA, ADV. FOR R3;
SRI.V.M.SHEELVANT ADV. FOR R4)



THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO, PLEASED TO ALLOW THIS APPEAL AND SET-ASIDE THE JUDGMENT AND ORDER DTD.22.12.2021, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.103485/2016, BY DISMISSING THE WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.

IN WA NO.100305 OF 2023:

BETWEEN:

THE COMMISSIONER
HUBBALLI-DHARWAD MUNICIPAL
CORPORATION HUBBALLI, DIST. DHARWAD.

...APPELLANT

(BY SRI. B.SHARANABASAWA, ADVOCATE)

AND:

1. GIRISH
S/O. SHNAKARAO CHINDHORE
SINCE DECEASED BY HIS LRs.,
- 1(A). SMT. SUJATA
W/O. GIRISH CHINCHORE
AGE: 52 YEARS, OCC: HOUSEWIFE,
R/O. MARATHA COLONY, DHARWAD.
- 1(B). CHINMAYA
W/O. GIRISH CHINCHORE
AGE: 28 YEARS, OCC: PVT. SERVICE,
R/O. MARATHA COLONY, DHARWAD.
2. THE STATE OF KARNATAKA
REPRESENTED BY
SECRETARY URBAN
DEVELOPMENT DEPARTMENT
NO. 504, 5TH FLOOR, 4TH GATE,
M.S. BUILDING,
AMBEDKAR VEEDHI,
BENGALURU-560 001.
3. THE COMMISSIONER
DIRECTOR OF URBAN LAND TRANSPORT



URBAN DEVELOPMENT DEPARTMENT,
BMTD, TIMC B BLOCK,
4TH FLOOR SHANTI NAGAR,
K.H.ROAD,
BENGALURU-560002.

4. CHEIF ENGINEER
KRDCL NO. 16 J MILLER TANK BED AREA
TIMMAYYA ROAD CROSS,
BENGALURU-560 002.
5. MANAGING DIRECTOR
HUBBALLI DHARWAD BRTS CO. LTD
1ST FLOOR, KSFC BUILDING,
RAYAPUR, P.B.ROAD,
DHARWAD-580009.
6. SPL. LAND ACQUISITION OFFICER
AND THE ASSITANT COMMISSIONER,
KRDCL, HDBRTSC OFFICE,
1ST FLOOR, KSFC BUILDING
RAYAPUR,
P.B.ROAD, DHARWAD-09.
7. EXECUTIVE ENGINEER
KRDCL, NO. 16, 3RD MAIN ROAD
DOLLORS COLONY,
NEAR VASTALLAYYA
HOSPITAL, GOKUL ROAD, HUBLI.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., ADDL. ADV. GENERAL A/W
SRI. G.K.HIREGOUDAR, GOVT. ADV. FOR R2 AND R3;
SRI.K.L.PATIL AND SRI.S.S.BETURMATH, ADVOCATES FOR
R1(A) & R1(B); SRI.C.V.ANGADI, ADV. FOR R4 TO R7)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT
ACT, 1961, PRAYING THIS HON BLE COURT TO, SET ASIDE THE ORDER
DATED 22/12/2021 PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.103485/2016 (LA-RES), IN THE INTEREST OF JUSTICE AND
EQUITY.

THESE WRIT APPEALS COMING ON FOR PRELIMINARY HEARING
THIS DAY, **S.R.KRISHNA KUMAR J.**, DELIVERED THE FOLLOWING:



COMMON JUDGMENT

Office objections are over-ruled. In these batch of writ appeals, wherever interlocutory applications have been filed for condonation of delay, the same are hereby allowed and delay in preferring the appeal/s are hereby condoned.

2. All these intra-court appeals arise out of the impugned common order dated 22.12.2021 passed in W.P.No.108208/2016 and connected matters, whereby all the petitions filed by the private respondents-writ petitioners were allowed by the learned Single Judge.

3. In all the petitions filed by the respective land owners-writ petitioners, the State Government, the Hubballi-Dharwad Municipal Corporation (HDMC), the Hubballi-Dharwad Urban Development Authority (HDUDA) and the Karnataka Road Development Corporation Limited (KRDCL) were arrayed as some of the respondents. However, the KRDCL was arrayed as respondent in all the writ petitions.

4. The subject matter of all the petitions arise out of a Notification issued in the year 2012 by the State Government under



Section 15 of the Karnataka Highways Act, 1964 (for short, 'the KH Act') for acquisition of land for widening of the State Highway No.73. The writ petitioners claimed to be the owners and occupants of portions of the subject lands which were sought to be acquired for road widening. It was contended that except for few cases where some of the writ petitioners had acquired right by way of documents executed by the Karnataka Industrial Areas Development Board (KIADB) in their favour, the katha/revenue records stand in their respective names and the name of KIADB is continued in some of the revenue records. It is further contended that by virtue of several documents such as sale deeds, lease-cum-sale agreements, lease deeds, etc., executed in their favour by their respective predecessors as well as KIADB, respective writ petitioners had become owners of respective portions of land sought to be acquired, much prior to issuance of Section 15 Notification in the year 2012 for the benefit of KRDCL for the purpose of road widening for BRTS Project. It was also contended that at the time of issuance of said Section 15 notification, the names of respective writ petitioners were shown as kathedars/anubhavadars except a few cases where the name of KIADB was shown, since khata had not been changed from the



name of KIADB to the writ petitioners at the time of issuance of the notification.

5. The common grievance of all the writ petitioners in all the petitions is that despite being owners in possession and enjoyment of the respective portions of land sought to be acquired and their names having been shown as khatedars/anubhavadars in the notifications issued under Section 15 of the KH Act, at the time of passing the award, the Special Land Acquisition Officer has come to the conclusion that the respective writ petitioners are not entitled to compensation on the sole ground that the portions of land sought to be acquired are part and parcel of road margin area of the aforesaid State Highway No.73 sought to be widened and consequently, the writ petitioners are not entitled for compensation for the acquired lands under the award. Pursuant to the said award, endorsements have been issued to the writ petitioners stating that since the acquired lands were part of the road margin, they were not entitled to compensation. Under these circumstances, the respective writ petitioners approached this Court seeking quashing of the endorsements and the award, seeking compensation in their favour in respect of the acquired lands.



6. In all the petitions, the KRDCCL was the main contesting party and filed statement of objections; in some of the petitions, HDUDA filed its statement of objections; however, neither the State nor the HDMC filed their statement of objections in any of the petitions.

7. The common defence of KRDCCL and HDUDA in the petitions was that the properties sought to be acquired was part and parcel of the road margin area and the same did not belong to the writ petitioners, who were not entitled to compensation. It was contended that at the time of granting sanction/approval to the layout plan, the writ petitioners had voluntarily undertaken that they would hand over the road margin area free of cost in favour of HDMC and on this ground also, the writ petitioners were not entitled to compensation. It was further contended that insofar as the cases wherein plans were sanctioned prior to the Karnataka Urban Development Authority Act, 1987 (for short, 'the KUDA Act') came into force, the layouts were sanctioned/approved in accordance with the prevailing Master Plan which provided for road margin area to be left out by the respective developers and since the said road margin area had been sold in favour of the writ



petitioners and / or their predecessors they were not entitled for compensation.

8. The KRDCL and HDUDA also contended that having obtained approval under Section 32 of the KUDA Act, the writ petitioners were obligated to transfer a portion of land earmarked for road widening in terms of Section 32(5) and were not entitled to claim compensation in respect of the said road margin area. It was further contended that having accepted the approval/sanction of the plan, subject to the condition that they would relinquish their rights over the subject lands for road widening at a future date free of cost in favour of the authorities, the writ petitioners were not entitled to approbate and reprobate and claim compensation when the subject lands were acquired for road widening. It was also contended that the writ petitioners and their predecessors were encroachers and were not entitled to any compensation in respect of the acquired lands. It was further contended that the writ petitioners had purchased/acquired land in excess of the lands available for sale from their predecessors and since the subject lands proposed to be acquired fall within the excess lands, the writ petitioners are not entitled to compensation. It was therefore



contended that there was no merit in the writ petitions and the same were liable to be dismissed.

9. The learned Single Judge extracted the pleadings of the parties and noticed that there were different categories of land owners who had filed the writ petitions viz.,

- a) Multi-site layout plot/site owners where layout plans were approved/sanctioned under the Karnataka Town and Country Planning Act, 1961 (for short, the 'KTCP Act')
- b) Single commercial unit plot/site owners where layout plans were approved/sanctioned under KUDA Act.
- c) Multi-site layouts formed by KIADB and allotted in favour of the writ petitioners with the layout plans having been sanctioned/approved under KTCP Act.
- d) Layouts approved in favour of KIADB under the KTCP Act and thereafter allotted in favour of the writ petitioners.



10. After considering the rival contentions, the learned Single Judge formulated the following points for consideration:

- a) *Whether the acquired properties in question, which were earmarked for widening of National Highway No.4 in the Master Plan published by local planning authority and earmarked as road margin area in the layout plans approved under the provisions of the KUDA Act, Karnataka Town and Country Planning Act (for short 'KTCP Act') and the KIAD Act fall under the purview of Section 32(5) of the KUDA Act?*
- b) *Whether the petitioners having derived benefit under the approved plans and having accepted the conditions can contend that by executive fiat be deprived of their properties without payment of compensation?*

11. The learned Single Judge proceeded to pass the impugned order answering both the points in favour of the writ petitioners and allowed the petitions. While doing so, the learned Single Judge took into account the various statutory provisions contained in the KH Act, KUDA Act, KTCP Act and KIAD Act and came to the conclusion that none of the statutory provisions can be interpreted, construed or understood as depriving writ petitioners from their claim to compensation on account of acquisition of their lands for the purpose of road widening. The learned Single Judge



also came to the conclusion that Section 32(5) of the KUDA Act was not applicable to the facts of the case insofar as single plot commercial land owners are concerned and the same cannot be pressed into service by the KRDC and other respondents for the purpose of denying compensation in favour of the land owners. Point No.2 was also answered in favour of the writ petitioners by the learned Single Judge who held that merely because some of the land owners had undertaken that they would abide by the terms and conditions of sanction/approval by handing over portions of land meant for road widening free of cost in favour of HDMC, the said undertaking given by the respective writ petitioners cannot operate as estoppel and be made the basis to deprive the land owners of compensation, which is violative of Article 300-A of the Constitution of India. Under these circumstances, the learned Single Judge proceeded to allow the writ petitions by passing the impugned order, which is assailed in the present writ appeals.

12. We have heard learned counsel appearing for both the parties and perused the material on record.



13. A perusal of the material on record will indicate that the KRDCL, HDUDA, the State Government and the HDMC have filed separate appeals challenging the impugned common order.

14. In addition to reiterating the various contentions urged in the memorandum of appeals and referring to the material on record, learned counsel for the KRDCL submitted that the properties sought to be acquired were situated in the road margin area and the learned Single Judge erred in awarding compensation in favour of the writ petitioners. It was also contended that the writ petitioners did not have title over the acquired lands, since the same was in excess of land earmarked for residential use under the sanctioned plan issued under the KTCP Act in favour of their predecessor-in-title and as such, the writ petitioners were not entitled to compensation. It was further contended that since some of the writ petitioners had specifically undertaken to hand over portion of the land for the purpose of road widening in terms of conditions imposed at the time of sanction/approval, they were not entitled to seek compensation at the time of acquisition of lands. It was submitted that though the names of the writ petitioners and KIADB were shown in Section 15 Notification, the KRDCL



subsequently came to know that the lands proposed to be acquired did not belong to the respective writ petitioners and accordingly, got the revenue records changed to the name of HDMC and KRDCCL proceeded to pass the award refusing to grant compensation in favour of the writ petitioners, which is correct and proper and did not warrant interference of this Court in the writ petitions. It was therefore submitted that the impugned order passed by the learned Single Judge deserves to be set aside.

15. Learned counsel for the HDUDA would adopt the submissions made by learned counsel appearing on behalf of KRDCCL and contends that the impugned order passed by the learned Single Judge was contrary to the law and facts and deserves to be set aside. In addition thereto, it was contended by the learned counsel for the HDUDA that since some of the writ petitioners in whose favour single plot had been approved and sanctioned had unequivocally undertaken to abide by the terms and conditions of the sanctioned/approval of layout plan in their favour, whereby they had agreed to handover and relinquish portion of the road margin area for the purpose of road widening, they were not entitled to approbate and reprobate and claim



compensation in respect of the road margin area. It was contended that the approval/sanction granted in favour of the single plot commercial owners was under the Zoning Regulations, which permits imposition of such a condition and the writ petitioners were bound by the said condition and were not entitled to seek compensation. It was therefore submitted that the impugned order passed by the learned Single Judge deserves to be set aside and writ petitions were liable to be dismissed. In support of his contentions, relied upon the following decisions:-

- (i) ***Shirdi Nagar Panchayat vs. Kishor Sharad Borawake and Others – 2023 SCC OnLine SC 1214.***
- (ii) ***Narayanrao Jagobaji Gowande Public Trust vs. State of Maharashtra and Others – (2016) 4 SCC 443.***
- (iii) ***Indian Express Newspapers (Bombay) Private Ltd., and Others vs. Union of India and Others – (1985) 1 SCC 641.***
- (iv) ***State of T.N. and Another vs. P.Krishnamurthy and Others – (2006) 4 SCC 517.***
- (v) ***Kerala Samsthana Chethu Thozhilali Union vs. State of Kerala and others – (2006) 4 SCC 327.***



- (vi) *Yellappa Mudukappa Itagi and Others vs. Hubli-Dharwad Urban Development Authority and Others – ILR 2007 KAR 755.***
- (vii) *Dr.Radhakrishna Co-operative Housing Society Limited and Others vs. Government of Karnataka, Housing and Urban Development Department, Bangalore and Others – 1999(2) KarLJ 637.***
- (viii) *Ranga Rao Deshpande vs. Hubli Dharwad Municipal Corporation and others – Writ Petition No.20807/2001 (LB-RES) dated 24.02.2006 of High Court of Karnataka, Bangalore.***

16. Learned AAG for the State submits that since most of the defences had already been put forth by the KRDCL and HDUDA, separate statements of objections had not been filed by the State Government in the writ petitions. It is however submitted that the learned Single Judge failed to consider and appreciate that the road margin area was part of all sanctioned/ approved layout plans issued in terms of the prevailing master plan and since the lands proposed to be acquired fell within the road margin area notified under the State Highways Act as well as under the Master plan, the writ petitioners were not entitled to seek compensation. It was also contended that by virtue of Section 32(5) of the KUDA Act in respect of approvals/sanction granted subsequent to 1987 and



also by virtue of Section 17 of the KTCP Act in relation to approval/sanction granted prior to 1987, the respective writ petitioners and their predecessors were not entitled to seek compensation in respect of lands earmarked for road margin area and as such, they were not entitled to compensation on this ground also, especially when they had encroached upon Government lands. In support of his contentions, learned AAG relied upon the following decisions:-

- (i) ***The District Collector, Collectorate Buildings, Salem vs. Siddeswaran – 2009 SCC OnLine Mad 1087.***
- (ii) ***Uttar Pradesh Public Service Commission vs. Madhu Rana and Others – (2012) 12 SCC 132.***
- (iii) ***State of Haryana and Others vs. Sushila and Others – 2023 SCC OnLine SC 42.***
- (iv) ***Delhi Development Authority vs. Narvada Devi and others – (2023) 5 SCC 646.***
- (v) ***Dr.Radhakrishna Co-operative Housing Society Limited, Hosur, Hubli and Others vs. Government of Karnataka, Housing and Urban Development Department, Bangalore and Others – 1999(2) KarLJ 637.***
- (vi) ***Yellappa Mudukappa Itagi and Others vs. The Hubli-Dharwad Urban Development Authority and Others – ILR 2007 KAR 755.***



- (vii) *Shirdi Nagar Panchayat vs. Kishor Sharad Borawake and Others – 2023 SCC OnLine SC 1214.*
- (viii) *M/s.Maratt Private Limited and another vs. Bruhat Bengaluru Mahanagara Palike and others – Writ Petition No.52945/2016(LB-BMP) dated 02.08.2022, High Court of Karnataka, Bengaluru.*
- (ix) *Smt.H.M.Sandya @ H.M.Sandhya Aras vs. Shimoga Development Authority – Writ Petition No.13804/2015(LB-RES) dated 20.06.2022, High Court of Karnataka, Bengaluru.*

17. Learned counsel for the HDMC which has also preferred appeals submits that he adopts the submissions made on behalf the KRDCL, HDUDA and State Government and submits that the impugned order deserves to be set aside.

18. Per Contra, learned Senior Counsel and other counsel appearing for the respective writ petitioners would support the impugned order and submit that there is no merit in the appeals and the same were liable to be dismissed. In support of their contentions, reliance is placed on the following judgments:-

- (i) *Hari Krishna Mandir Trust vs. State of Maharashtra and others – (2020) 9 SCC 356.*



- (ii) K.T.Plantation Private Limited and Another vs. State of Karnataka – (2011) 9 SCC 1.**
- (iii) State of Goa and Another vs. Gopal Baburao Gaudo and Others – (2009) 10 SCC 686.**
- (iv) Nagangouda Patil vs. The Deputy Commissioner and others – Writ Petition No.64990/2009 (KLR-CON) dated 05.12.2013, High Court of Karnataka, Dharwad Bench.**
- (v) The Deputy Commissioner, Haveri and another vs. Shri Nagangouda Patil and another – W.A.No.100411/2019 (KLR-CON) dated 06.12.2019 of High Court of Karnataka Dharwad Bench.**
- (vi) Dr.Arun Kumar B.C., vs. State of Karnataka and others – Writ Petition No.9408/2020 (LB-BMP) and connected matters dated 17.01.2022 of High Court of Karnataka, Bengaluru.**
- (vii) Sri Vinod Damji Patel vs. The Hoskote Yojana Pradhikara and another – Writ Petition No.15103/2022 (LB-RES) dated 17.04.2023 of High Court of Karnataka, Bengaluru.**
- (viii) M/s.SNN Abode LLP vs. The State of Karnataka and others – Writ Petition No.2856/2016 (LB-RES) dated 04.07.2023 of High Court of Karnataka, Bengaluru.**

19. We have given our anxious consideration to the rival submissions and perused the material on record.



20. Before advertng to the rival contentions, it is necessary to note that it is the specific contention of the writ petitioners that non-payment of compensation in their favour by the appellants towards acquisition of their lands was violative of Article 300-A of the Constitution of India; the said contention is sought to be opposed by the appellants on various grounds including stating that the subject lands, which were situated abutting State Highway No.73 had been earmarked for the purpose of road widening both in the prevailing Master plan and the approved / sanctioned Layout plan, as a result of which, the writ petitioners would not be entitled to claim compensation. In this context, it is relevant to state that there is no gainsaying the fact that the constitutional right to property guaranteed under Article 300-A of the Constitution of India has been recognized and affirmed in favour of the land losers by the Apex Court and this Court repeatedly in several judgments.

21. The Constitution Bench of the Apex Court in ***KT Plantation's*** case supra, held as under:-

131. Right to life, liberty and property were once considered to be inalienable rights under the Indian Constitution, each one of these rights was considered to be inextricably bound to the other and none would exist



without the other. Of late, right to property parted company with the other two rights under the Indian Constitution and took the position of a statutory right. Since ancient times, debates are going on as to whether the right to property is a “natural” right or merely a creation of “social convention” and “positive law” which reflects the centrality and uniqueness of this right. Property rights at times are compared to right to life which determine access to the basic means of sustenance and considered as prerequisite to the meaningful exercise of other rights guaranteed under Article 21.

132. *Eminent thinkers like Hugo Grotius, Pufendorf, John Locke, Rousseau and William Blackstone had expressed their own views on the right to property. Lockean rhetoric of property as a natural and absolute right but conventional in civil society has, its roots in Aristotle and Aquinas, for Grotius and Pufendorf property was both natural and conventional. Pufendorf, like Grotius, never recognised that the rights to property on its owners are absolute but involve definite social responsibilities, and also held the view that the private property was not established merely for the purpose of “allowing a man to avoid using it in the service of others, and to brood in solitude over his hoard of riches.” Like Grotius, Pufendorf recognised that those in extreme need may have a right to the property of others. For Rousseau, property was a conventional civil right and not a natural right and private property right was subordinate to the public interest, but Rousseau insisted that it would never be in the public interest to violate them.*



133. With the emergence of modern written constitutions in the late eighteenth century and thereafter, the right to property was enshrined as a fundamental constitutional right in many of the constitutions in the world and India was not an exception. Blackstone declared that so great is the regime of the law for private property that it will not authorise the least violation of it—no, not even for the general good of the whole community. Writings of the abovementioned political philosophers had also its influence on the Indian Constitution as well.

141. Eminent domain is distinguishable alike from the police power, by which restriction are imposed on private property in the public interest e.g. in connection with health, sanitation, zoning regulation, urban planning and so on from the power of taxation, by which the owner of private property is compelled to contribute a portion of it for the public purposes and from the war power, involving the destruction of private property in the course of military operations. The police power fetters rights of property while eminent domain takes them away. Power of taxation does not necessarily involve a taking of specific property for public purposes, though analogous to eminent domain as regards the purposes to which the contribution of the taxpayer is to be applied. Further, there are several significant differences between regulatory exercises of the police powers and eminent domain of deprivation of property. Regulation does not acquire or appropriate the property for the State, which appropriation does and regulation is imposed severally and individually, while



expropriation applies to an individual or a group of owners of properties.

142. [Ed.: Para 142 corrected vide Official Corrigendum No. F.3/Ed.B.J./45/2011 dated 26-8-2011.]
The question whether the “element of compensation” is necessarily involved in the idea of eminent domain arouses much controversy. According to one school of thought (see Lewis, Eminent Domain, 3rd Edn., 1909) opined that this question must be answered in the negative, but another view (see Randolph Eminent Domain in the United States [Boston, 1894 (AWR)], the claim for compensation is an inherent attribute of the concept of eminent domain.

154. *The Constitution was again amended by the Seventeenth Amendment Act of 1964, by which the State extended the scope of Article 31-A and Schedule IX to protect certain agrarian reforms enacted by the Kerala and Madras States and jagir, inam, muafi or any other grant, janmam, ryotwari, etc. were included within the meaning of “estate”. It also added the second proviso to clause (1) to protect a person of being deprived of land less than the relevant land ceiling limits held by him for personal cultivation, except on payment of full market value thereof by way of compensation.*

156. *Speaking for the Bench, Subba Rao, J. in P. Vajravelu Mudaliar case [AIR 1965 SC 1017 : (1965) 1 SCR 614] stated that: (AIR p. 1025, para 16)*

“16. ... If the legislature, though ex facie purports to provide for compensation or indicates the principles for ascertaining the same, but in effect and substance takes



away a property without paying compensation for it, it will be exercising power which it does not possess. If the legislature makes a law for acquiring a property by providing for an illusory compensation or by indicating the principles for ascertaining the compensation which do not relate to the property acquired or to the value of such property at or within a reasonable proximity of the date of acquisition or the principles are so designed and so arbitrary that they do not provide for compensation at all, one can easily hold that the legislature made the law in fraud of its powers.”

Subba Rao, J. reiterated his view in Union of India v. Metal Corpn. of India Ltd. [AIR 1967 SC 637]

166. *Article 300-A, when examined in the light of the circumstances under which it was inserted, would reveal the following changes:*

1. Right to acquire, hold and dispose of property has ceased to be a fundamental right under the Constitution of India.

2. Legislature can deprive a person of his property only by authority of law.

3. Right to acquire, hold and dispose of property is not a basic feature of the Constitution, but only a constitutional right.

4. Right to property, since no more a fundamental right, the jurisdiction of the Supreme Court under Article 32 cannot be generally invoked, aggrieved person has to approach the High Court under Article 226 of the Constitution.



167. Arguments have been advanced before us stating that the concept of eminent domain and its key components be read into Article 300-A and if a statute deprives a person of his property unauthorisedly, without adequate compensation, then the statute is liable to be challenged as violative of Articles 14, 19 and 21 and on the principle of the rule of law, which is the basic structure of our Constitution. Further, it was also contended that the interpretation given by this Court on the scope of Articles 31(1) and (2) in various judgments be not ignored while examining the meaning and content of Article 300-A.

168. Article 300-A proclaims that no person can be deprived of his property save by authority of law, meaning thereby that a person cannot be deprived of his property merely by an executive fiat, without any specific legal authority or without the support of law made by a competent legislature. The expression "property" in Article 300-A confined not to land alone, it includes intangibles like copyrights and other intellectual property and embraces every possible interest recognised by law.

169. This Court in State of W.B. v. Vishnunarayan and Associates (P) Ltd. [(2002) 4 SCC 134] , while examining the provisions of the West Bengal Great Eastern Hotel (Acquisition of Undertaking) Act, 1980, held in the context of Article 300-A that the State or executive officers cannot interfere with the right of others unless they can point out the specific provisions of law which authorises their rights.

170. Article 300-A, therefore, protects private property against executive action. But the question that looms large



is as to what extent their rights will be protected when they are sought to be illegally deprived of their properties on the strength of a legislation. Further, it was also argued that the twin requirements of “public purpose” and “compensation” in case of deprivation of property are inherent and essential elements or ingredients, or “inseparable concomitants” of the power of eminent domain and, therefore, of List III Entry 42, as well and, hence, would apply when the validity of a statute is in question.

171. On the other hand, it was the contention of the State that since the Constitution consciously omitted Article 19(1)(f), Articles 31(1) and 31(2), the intention of Parliament was to do away the doctrine of eminent domain which highlights the principles of public purpose and compensation.

172. Seervai in his celebrated book Constitutional Law of India (4th Edn.), spent a whole Chapter XIV on the Forty-fourth Amendment, while dealing with Article 300-A. In Para 15.2 (pp. 1157-58) the author opined that confiscation of property of innocent people for the benefit of private persons is a kind of confiscation unknown to our law and whatever meaning the word “acquisition” may have does not cover “confiscation” for, to confiscate means “to appropriate to the public treasury (by way of penalty)”. Consequently, the law taking private property for a public purpose without compensation would fall outside List III Entry 42 and cannot be supported by another entry in List III.



173. Requirements of a public purpose and the payment of compensation, according to the learned author, be read into List III Entry 42. Further, the learned author has also opined that the repeal of Articles 19(1)(f) and 31(2) could have repercussions on other fundamental rights or other provisions which are to be regarded as part of the basic structure and also stated that notwithstanding the repeal of Article 31(2), the word “compensation” or the concept thereof is still retained in Article 30(1-A) and in the second proviso to Article 31-A(1) meaning thereby that payment of compensation is a condition of legislative power in List III Entry 42.

174. The learned Senior Counsel Shri T.R. Andhyarujina, also referred to the opinion expressed by another learned author Prof. P.K. Tripathi, in his article “Right to Property After Forty-fourth Amendment—Better Protected Than Ever Before” [AIR 1980 Jour 49] . The learned author expressed the opinion that the right of the individual to receive compensation when his property is acquired or requisitioned by the State, continues to be available in the form of an implied condition of the power of the State to legislate on “acquisition or requisition of property” while all the exceptions and limitations set up against and around it in Articles 31, 31-A and 31-B have disappeared. The learned author opined that Article 300-A will require obviously, that the law must be a valid law and no law of acquisition or requisition can be valid unless the acquisition or requisition is for a public purpose, unless there is provision in law for paying compensation, will



continue to have a meaning given to it, by Bela Banerjee case [AIR 1954 SC 170].

175. *The learned author, Shri S.B. Sathe, in his article “Right to Property After the Forty-fourth Amendment: Reflections on Prof. P.K. Tripathi’s Observations” [AIR 1980 Jour 97], to some extent, endorsed the view of Prof. Tripathi and opined that the Forty-fourth Amendment has increased the scope of judicial review in respect of right to property. The learned author has stated although Article 300-A says that no one shall be deprived of his property save by authority of law, there is no reason to expect that this provision would protect private property only against executive action. The learned author also expresses the wish that Article 21 may provide viable check upon Article 300-A.*

176. *Durga Das Basu in his book Shorter Constitution of India, 13th Edn., dealt with Article 300-A in Chapter IV wherein the learned author expressed some reservation about the views expressed by Seervai, as well as Prof. Tripathi. The learned author expressed the view, that after the Forty-fourth Amendment Act there is no express provision in the Constitution outside the two cases specified under Article 30(1-A) and the second proviso to 31-A(1) requiring the State to pay compensation to an expropriated owner. The learned author also expressed the opinion that no reliance could be placed on the legislative List III Entry 42 so as to claim compensation on the touchstone of fundamental rights since the entry in a*



legislative list does not confer any legislative power but only enumerates fields of legislation.

177. The learned counsel on the either side, apart from other contentions, highlighted the above views expressed by the learned authors to urge their respective contentions.

178. The principles of eminent domain, as such, are not seen incorporated in Article 300-A, as we see, in Article 30(1-A), as well as in the second proviso to Article 31-A(1) though we can infer those principles in Article 300-A. The provision for payment of compensation has been specifically incorporated in Article 30(1-A) as well as in the second proviso to Article 31-A(1) for achieving specific objectives. The Constitution (Forty-fourth Amendment) Act, 1978 while omitting Article 31 brought in a substantive provision clause (1-A) to Article 30. Resultantly, though no individual or even educational institution belonging to majority community shall have any fundamental right to compensation in case of compulsory acquisition of his property by the State, an educational institution belonging to a minority community shall have such fundamental right to claim compensation in case the State enacts a law providing for compulsory acquisition of any property of an educational institution established and administered by a minority community. Further, the second proviso to Article 31-A(1) prohibits the legislature from making a law which does not contain a provision for payment of compensation at a rate not less than the market value which follows that a law which does not contain such provision shall be invalid and the acquisition proceedings would be rendered void.



179. Looking at the history of the various constitutional amendments, judicial pronouncements and the Statement of Objects and Reasons contained in the Forty-fourth Amendment Bill which led to the Forty-fourth Amendment Act we have no doubt that the intention of Parliament was to do away with the fundamental right to acquire, hold and dispose of the property. But the question is whether the principles of eminent domain are completely obliterated when a person is deprived of his property by the authority of law under Article 300-A of the Constitution.

182. We have found that the requirement of public purpose is invariably the rule for depriving a person of his property, violation of which is amenable to judicial review. Let us now examine whether the requirement of payment of compensation is the rule after the deletion of Article 31(2).

183. Payment of compensation amount is a constitutional requirement under Article 30(1-A) and under the second proviso to Article 31-A(1), unlike Article 300-A. After the Forty-fourth Amendment Act, 1978, the constitutional obligation to pay compensation to a person who is deprived of his property primarily depends upon the terms of the statute and the legislative policy. Article 300-A, however, does not prohibit the payment of just compensation when a person is deprived of his property, but the question is whether a person is entitled to get compensation, as a matter of right, in the absence of any stipulation in the statute, depriving him of his property.



184. Before answering those questions, let us examine whether the right to claim compensation on deprivation of one's property can be traced to List III Entry 42.

185. The Constitution (Seventh Amendment) Act, 1956 deleted List I Entry 33, List II Entry 36 and reworded List III Entry 42 relating to "acquisition and requisitioning of property". It was urged that the above words be read with the requirements of public purpose and compensation. Reference was placed on the following judgment of this Court in support of that contention. In State of Madras v. Gannon Dunkerley & Co. (Madras) Ltd. [AIR 1958 SC 560 : 1959 SCR 379] (SCR at p. 413) this Court considered Schedule VII List II Entry 48 of the Government of India Act, 1935, "Taxes on the sale of goods", in accordance with the established legal sense of the word "sale", which had acquired a definite precise sense and held that the legislature must have intended the "sale", should be understood in that sense. But, we fail to see why we trace the meaning of a constitutional provision when the only safe and correct way of construing the statute is to apply the plain meaning of the words. List III Entry 42 has used the words "acquisition" and "requisitioning", but Article 300-A has used the expression "deprivation", though the word "deprived" or "deprivation" takes in its fold "acquisition" and "requisitioning", the initial presumption is in favour of the literal meaning since Parliament is taken to mean as it says.

186. A Constitution Bench of this Court in Hoechst Pharmaceuticals Ltd. case [(1983) 4 SCC 45 : 1983 SCC



(Tax) 248] , held that the various entries in List III are not “powers” of legislation but “fields” of legislation. Later, a Constitution Bench of this Court in State of W.B. v. Kesoram Industries Ltd. [(2004) 10 SCC 201 : AIR 2005 SC 1646] held that Article 245 of the Constitution is the fountain source of legislative power. It provides that subject to the provisions of this Constitution, Parliament may make laws for the whole or any part of the territory of India, and the legislature of a State may make laws for the whole or any part of the State.

187 [Ed.: Para 187 corrected vide Official Corrigendum No. F.3/Ed.B.J./45/2011 dated 26-8-2011.]

The legislative field between Parliament and the legislature of any State is divided by Article 246 of the Constitution. Parliament has exclusive power to make laws with respect to any of the matters enumerated in Schedule VII List I, called the Union List and subject to the said power of Parliament, the legislature of any State has power to make laws with respect to any of the matters enumerated in List III, called the Concurrent List. Subject to the above, the legislature of any State has exclusive power to make laws with respect to any of the matters enumerated in List II, called the State List. Under Article 248, the exclusive power of Parliament to make laws extends to any matter not enumerated either in the Concurrent List or State List.

188. *We find no apparent conflict with the words used in List III Entry 42 so as to infer that the payment of compensation is inbuilt or inherent either in the words “acquisition and requisitioning” under List III Entry 42. Right*



to claim compensation, therefore, cannot be read into the legislative List III Entry 42.

***189.** Requirement of public purpose, for deprivation of a person of his property under Article 300-A, is a precondition, but no compensation or nil compensation or its illusiveness has to be justified by the State on judicially justiciable standards. Measures designed to achieve greater social justice, may call for lesser compensation and such a limitation by itself will not make legislation invalid or unconstitutional or confiscatory. In other words, the right to claim compensation or the obligation to pay, though not expressly included in Article 300-A, it can be inferred in that article and it is for the State to justify its stand on justifiable grounds which may depend upon the legislative policy, object and purpose of the statute and host of other factors.*

***190.** Article 300-A would be equally violated if the provisions of law authorising deprivation of property have not been complied with. While enacting Article 300-A Parliament has only borrowed Article 31(1) (the “Rule of Law” doctrine) and not Article 31(2) (which had embodied the doctrine of eminent domain). Article 300-A enables the State to put restrictions on the right to property by law. That law has to be reasonable. It must comply with other provisions of the Constitution. The limitation or restriction should not be arbitrary or excessive or what is beyond what is required in public interest. The limitation or restriction must not be disproportionate to the situation or excessive.*

***191.** The legislation providing for deprivation of property under Article 300-A must be “just, fair and reasonable” as*



understood in terms of Articles 14, 19(1)(g), 26(b), 301, etc. Thus in each case, courts will have to examine the scheme of the impugned Act, its object, purpose as also the question whether payment of nil compensation or nominal compensation would make the impugned law unjust, unfair or unreasonable in terms of other provisions of the Constitution as indicated above.

192. *At this stage, we may clarify that there is a difference between “no” compensation and “nil” compensation. A law seeking to acquire private property for public purpose cannot say that “no compensation shall be paid”. However, there could be a law awarding “nil” compensation in cases where the State undertakes to discharge the liabilities charged on the property under acquisition and onus is on the Government to establish validity of such law. In the latter case, the Court in exercise of judicial review will test such a law keeping in mind the above parameters.*

193. *Right to property no more remains an overarching guarantee in our Constitution, then is it the law, that such a legislation enacted under the authority of law as provided in Article 300-A is immune from challenge before a constitutional court for violation of Articles 14, 21 or the overarching principle of the rule of law, a basic feature of our Constitution, especially when such a right is not specifically incorporated in Article 300-A, unlike Article 30(1-A) and the second proviso to Article 31-A(1).*

198. *Article 300-A, unlike Articles 31-A(1) and 31-C, has not made the legislation depriving a person of his property*



immune from challenge on the ground of violation of Article 14 or Article 21 of the Constitution of India, but let us first examine whether Article 21 as such is available to challenge a statute providing for no or illusory compensation and, hence, expropriatory.

200. *The question of applicability of Article 21 to the laws protected under Article 31-C also came up for consideration before this Court in State of Maharashtra v. Basantibai Mohanlal Khetan [(1986) 2 SCC 516] , wherein this Court held that Article 21 essentially deals with personal liberty and has little to do with the right to own property as such. Of course, the Court in that case was not concerned with the question whether the deprivation of property would lead to deprivation of life or liberty or livelihood, but was dealing with a case, where land was acquired for improving living conditions of a large number of people. The Court held that the land ceiling laws, laws providing for acquisition of land for providing housing accommodation, laws imposing ceiling on urban property, etc. cannot be struck down by invoking Article 21 of the Constitution.*

201. *This Court in Jilubhai Nanbhai Khachar case [1995 Supp (1) SCC 596] took the view that the principle of unfairness of procedure attracting Article 21 does not apply to the acquisition or deprivation of property under Article 300-A.*

202. *Acquisition of property for a public purpose may meet with a lot of contingencies, like deprivation of livelihood, leading to violation of Article 21, but that per*



se is not a ground to strike down a statute or its provisions. But at the same time, is it the law that a constitutional court is powerless when it confronts with a situation where a person is deprived of his property, by law, for a private purpose with or without providing compensation? For example, a political party in power with a massive mandate enact a law to acquire the property of the political party in opposition not for public purpose, with or without compensation, is it the law, that such a statute is immune from challenge in a constitutional court? Can such a challenge be rejected on the ground that statute does not violate the fundamental rights [due to deletion of Article 19(1)(f)] and that the legislation does not lack legislative competence? In such a situation, is non-availability of a third ground as propounded in State of A.P. v. McDowell & Co. [(1996) 3 SCC 709] , an answer?

22. In the case of ***Hari Krishna Mandir Trust***, the Apex

Court held as under:-

28. *The High Court has failed to address the question of how the name of Pune Municipal Corporation could all of a sudden be shown as the owner of the internal road with effect from 4-3-1986, in complete disregard of all records. The High Court has, with the greatest of respect, failed to apply its mind to relevant facts, particularly the records of Pune Municipal Corporation with regard to property holders, the arbitrator's award dated 16-5-1972 under Section 72 of the Regional and Town Planning Act and the admission of Pune Municipal Corporation that the road did not belong to it, it was never acquired and that the name of Pune Municipal Corporation had wrongly been*



recorded. Rather, the High Court records that the respondent authorities have not disputed facts in their counter-affidavit, but only claimed that the land had vested under Section 88 and that it was not feasible to make changes in the scheme.

29. The finding of the High Court that it was never the case of the petitioner that the land had not vested, is misconceived. First of all, there does not appear to be any admission of vesting on the part of the appellant Trust. In any case land can only vest in accordance with law. If the land has not vested, a mistaken admission would make no difference, for there can be no estoppel against the Constitution of India, or any statute.

34. In 1966 the Maharashtra State Legislature enacted the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the Regional and Town Planning Act") to make provision for planning and development and use of land in regions established for that purpose, and for the constitution of Regional Planning Boards therefor; to make better provision for the preparation of development plans with a view to ensuring that Town Planning Schemes are made in a proper manner and their execution is made effective; to provide for the creation of new towns by means of development authorities; to make provisions for the compulsory acquisition of land required for public purposes in respect of the plans; and for purposes connected therewith.

50. None of the provisions referred to above enable the Planning Authority or any other authority to divest an owner of his/her property. Rather, Section 64 mandates that a draft scheme is to contain particulars of ownership area and tenure of each original plot. Any transfer or any alteration of boundary, amalgamation or separation has to be with the consent of the owner in view of the express mandate of Section 65. Implicit in Section 65 is that a transfer must be for consideration.



92. From the records of the case, particularly the order dated 20-8-1970 of sub-division of Plot No. 473-B and the award of the arbitrator, it is patently clear that the name of Pune Municipal Commissioner was at no point of time reflected as holder of the private road. There is no whisper as to how the road came to be shown as in possession of Pune Municipal Commissioner nor of the procedure adopted for effecting changes, if any, in the property records.

93. On perusal of the documents, there can be no doubt at all that the road in question measuring 444.14 sq m never belonged to Pune Municipal Corporation. In the property records, there was no private road. There were three plots, Nos. 473-B1, B2, B3 and 473-B4 shown as vacant land held by the owners of all the three adjacent plots.

94. The Municipal Corporation was never shown as owner of the vacant plot or of any private road. Even assuming that there was any policy decision to have an approach road to every plot, it was incumbent upon the authorities concerned to acquire the land. On the other hand, the scheme clearly records that the same was based on entries in property records and the award of the arbitrator.

*96. The right to property may not be a fundamental right any longer, but it is still a constitutional right under Article 300-A and a human right as observed by this Court in *Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel* [*Vimlaben Ajitbhai Patel v. Vatslaben Ashokbhai Patel*, (2008) 4 SCC 649, para 42]. In view of the mandate of Article 300-A of the Constitution of India, no person is to be deprived of his property save by the authority of law. The appellant Trust cannot be deprived of its property save in accordance with law.*

97. Article 300-A of the Constitution of India embodies the doctrine of eminent domain which comprises two parts, (i) possession of property in the public interest;



and (ii) payment of reasonable compensation. As held by this Court in a plethora of decisions, including State of Bihar v. Project Uchcha Vidya, Sikshak Sangh [State of Bihar v. Project Uchcha Vidya, Sikshak Sangh, (2006) 2 SCC 545 at p. 574, para 69 : 2006 SCC (L&S) 355 : 5 SCEC 589] ; Jilubhai Nanbhai Khachar v. State of Gujarat [Jilubhai Nanbhai Khachar v. State of Gujarat, 1995 Supp (1) SCC 596] ; Bishambhar Dayal Chandra Mohan v. State of U.P. [Bishambhar Dayal Chandra Mohan v. State of U.P., (1982) 1 SCC 39 : 1982 SCC (Cri) 53] , the State possesses the power to take or control the property of the owner for the benefit of public. When, however, a State so acts it is obliged to compensate the injury by making just compensation as held by this Court in Girnar Traders v. State of Maharashtra [Girnar Traders v. State of Maharashtra, (2007) 7 SCC 555, paras 55 and 56] .

98. *It has been established beyond any iota of doubt that the private road admeasuring 414 sq m area had never been acquired by Pune Municipal Corporation. The right to property includes any proprietary interest, hereditary interest in the right of management of a religious endowment, as well as anything acquired by inheritance. However, laudable be the purpose, the executive cannot deprive a person of his property without specific legal authority, which can be established in a court of law.*

99. *In case of dispossession, except under the authority of law, the owner might obtain restoration of possession by a proceeding for mandamus against the Government as held by this Court in Wazir Chand v. State of H.P. [Wazir Chand v. State of H.P., AIR 1954 SC 415 : 1954 Cri LJ 1029] Admittedly, no compensation has been offered or paid to the appellant Trust. As observed by this Court in K.T. Plantation (P) Ltd. v. State of Karnataka [K.T. Plantation (P) Ltd. v. State of Karnataka, (2011) 9 SCC 1 : (2011) 4 SCC (Civ) 414] , even though the right to claim compensation or the obligation of the State to pay*



compensation to a person who is deprived of his property is not expressly provided in Article 300-A of the Constitution, it is inbuilt in the Article. The State seeking to acquire private property for public purpose cannot say that no compensation shall be paid. The Regional and Town Planning Act also does not contemplate deprivation of a landholder of his land, without compensation. Statutory authorities are bound to pay adequate compensation.

100. *The High Courts exercising their jurisdiction under Article 226 of the Constitution of India, not only have the power to issue a writ of mandamus or in the nature of mandamus, but are duty-bound to exercise such power, where the Government or a public authority has failed to exercise or has wrongly exercised discretion conferred upon it by a statute, or a rule, or a policy decision of the Government or has exercised such discretion mala fide, or on irrelevant consideration.*

101. *In all such cases, the High Court must issue a writ of mandamus and give directions to compel performance in an appropriate and lawful manner of the discretion conferred upon the Government or a public authority.*

102. *In appropriate cases, in order to prevent injustice to the parties, the Court may itself pass an order or give directions which the Government or the public authorities should have passed, had it properly and lawfully exercised its discretion. In Director of Settlements, A.P. v. M.R. Apparao [Director of Settlements, A.P. v. M.R. Apparao, (2002) 4 SCC 638] . Pattanaik, J. observed: (SCC p. 659, para 17)*

“17. ... One of the conditions for exercising power under Article 226 for issuance of a mandamus is that the court must come to the conclusion that the aggrieved person has a legal right, which entitles him to any of the rights and that such right has been infringed. In other words, existence of a legal right of a citizen and performance of any corresponding



legal duty by the State or any public authority, could be enforced by issuance of a writ of mandamus, “mandamus” means a command. It differs from the writs of prohibition or certiorari in its demand for some activity on the part of the body or person to whom it is addressed. Mandamus is a command issued to direct any person, corporation, inferior courts or Government, requiring him or them to do some particular thing therein specified which appertains to his or their office and is in the nature of a public duty. A mandamus is available against any public authority including administrative and local bodies, and it would lie to any person who is under a duty imposed by a statute or by the common law to do a particular act. In order to obtain a writ or order in the nature of mandamus, the applicant has to satisfy that he has a legal right to the performance of a legal duty by the party against whom the mandamus is sought and such right must be subsisting on the date of the petition (see Kalyan Singh v. State of U.P. [Kalyan Singh v. State of U.P., AIR 1962 SC 1183]). The duty that may be enjoined by mandamus may be one imposed by the Constitution, a statute, common law or by rules or orders having the force of law.”

(emphasis in original)

103. *The Court is duty-bound to issue a writ of mandamus for enforcement of a public duty. There can be no doubt that an important requisite for issue of mandamus is that mandamus lies to enforce a legal duty. This duty must be shown to exist towards the applicant. A statutory duty must exist before it can be enforced through mandamus. Unless a statutory duty or right can be read in the provision, mandamus cannot be issued to enforce the same.*

104. *The High Court is not deprived of its jurisdiction to entertain a petition under Article 226 merely because in*



considering the petitioner's right to relief, questions of fact may fall to be determined. In a petition under Article 226, the High Court has jurisdiction to try issues both of fact and law. Exercise of the jurisdiction is, it is true, discretionary, but the discretion must be exercised on sound judicial principles. Reference may be made inter alia to the judgments of this Court in Gunwant Kaur v. Municipal Committee, Bhatinda [Gunwant Kaur v. Municipal Committee, Bhatinda, (1969) 3 SCC 769] and State of Kerala v. M.K. Jose [State of Kerala v. M.K. Jose, (2015) 9 SCC 433] . In M.K. Jose [State of Kerala v. M.K. Jose, (2015) 9 SCC 433] , this Court held: (SCC pp. 442-43, para 16)

“16. Having referred to the aforesaid decisions, it is obligatory on our part to refer to two other authorities of this Court where it has been opined that under what circumstances a disputed question of fact can be gone into. In Gunwant Kaur v. Municipal Committee, Bhatinda [Gunwant Kaur v. Municipal Committee, Bhatinda, (1969) 3 SCC 769] , it has been held thus: (SCC p. 774, paras 14-16)

‘14. The High Court observed that they will not determine disputed question of fact in a writ petition. But what facts were in dispute and what were admitted could only be determined after an affidavit-in-reply was filed by the State. The High Court, however, proceeded to dismiss the petition in limine. The High Court is not deprived of its jurisdiction to entertain a petition under Article 226 merely because in considering the petitioner's right to relief questions of fact may fall to be determined. In a petition under Article 226 the High Court has jurisdiction to try issues both of fact and law. Exercise of the jurisdiction is, it is true, discretionary, but the discretion must be exercised on sound judicial principles. When the petition raises questions of fact of a complex nature, which



may for their determination require oral evidence to be taken, and on that account the High Court is of the view that the dispute may not appropriately be tried in a writ petition, the High Court may decline to try a petition. Rejection of a petition in limine will normally be justified, where the High Court is of the view that the petition is frivolous or because of the nature of the claim made dispute sought to be agitated, or that the petition against the party against whom relief is claimed is not maintainable or that the dispute raised thereby is such that it would be inappropriate to try it in the writ jurisdiction, or for analogous reasons.

15. From the averments made in the petition filed by the appellants it is clear that in proof of a large number of allegations the appellants relied upon documentary evidence and the only matter in respect of which conflict of facts may possibly arise related to the due publication of the notification under Section 4 by the Collector.

16. In the present case, in our judgment, the High Court was not justified in dismissing the petition on the ground that it will not determine disputed question of fact. The High Court has jurisdiction to determine questions of fact, even if they are in dispute and the present, in our judgment, is a case in which in the interests of both the parties the High Court should have entertained the petition and called for an affidavit-in-reply from the respondents, and should have proceeded to try the petition instead of relegating the appellants to a separate suit.”

(emphasis in original and supplied)

105. *In ABL International Ltd. v. Export Credit Guarantee Corpn. of India Ltd. [ABL International Ltd. v. Export Credit Guarantee Corpn. of India Ltd., (2004) 3 SCC 553] , this Court referring to previous judgments of*



this Court including Gunwant Kaur [Gunwant Kaur v. Municipal Committee, Bhatinda, (1969) 3 SCC 769] held: (ABL International Ltd. case [ABL International Ltd. v. Export Credit Guarantee Corpn. of India Ltd., (2004) 3 SCC 553], SCC pp. 568-69 & 572, paras 19 & 27)

“19. Therefore, it is clear from the above enunciation of law that merely because one of the parties to the litigation raises a dispute in regard to the facts of the case, the court entertaining such petition under Article 226 of the Constitution is not always bound to relegate the parties to a suit. In the above case of Gunwant Kaur [Gunwant Kaur v. Municipal Committee, Bhatinda, (1969) 3 SCC 769] this Court even went to the extent of holding that in a writ petition, if the facts require, even oral evidence can be taken. This clearly shows that in an appropriate case, the writ court has the jurisdiction to entertain a writ petition involving disputed questions of fact and there is no absolute bar for entertaining a writ petition even if the same arises out of a contractual obligation and/or involves some disputed questions of fact.

27. From the above discussion of ours, the following legal principles emerge as to the maintainability of a writ petition:

(a) In an appropriate case, a writ petition as against a State or an instrumentality of a State arising out of a contractual obligation is maintainable.

(b) Merely because some disputed questions of fact arise for consideration, same cannot be a ground to refuse to entertain a writ petition in all cases as a matter of rule;

(c) A writ petition involving a consequential relief of monetary claim is also maintainable.”



107. In the facts and circumstances of the instant case, in the light of admissions, on the part of the respondent authorities that the private road measuring 414 sq m was private property never acquired by Pune Municipal Corporation or the State Government, the respondents had a public duty under Section 91 to appropriately modify the scheme and to show the private road as property of its legitimate owners, as per the property records in existence, and or in the award of the arbitrator. In our considered opinion, the Bombay High Court erred in law in dismissing the writ petition with the observation that the land in question had vested under Section 88 of the Regional and Town Planning Act.

23. The writ petitioners claim title over their respective portions of lands under various documents such as sale deeds, lease-cum-sale deeds, Wills, etc., executed in their favour prior to issuance of the Section 15 Notification and the revenue records had been mutated into the names of respective land owners prior to issuance of Notification under Section 15 of the KH Act. It was only at the time of passing the awards that the KRDC came to the conclusion that the revenue records had been mutated/changed to the name of HDMC and since the acquired lands form part of road margin, writ petitioners were not entitled to compensation.

24. In this context, it is relevant to state that the said change of revenue records by deleting the names of the respective writ



petitioners and KIADB and inserting the name of HDMC was at the instance of HDUDA and the said change of revenue records were done without issuance of notice to the respective writ petitioners nor hearing them in accordance with law. Under these circumstances apart from the fact that the said mutation/change in revenue records are violative of principles of natural justice, mere change of revenue records subsequent to issuance of Section 15 notification, would neither take away the right of writ petitioners to claim compensation nor confer any right in favour of HDMC to either oppose claim of compensation or claim compensation in respect of acquired lands. It is therefore clear that the SLAO has clearly fell in error in coming to the conclusion that the land owners were not entitled to compensation on the ground that the revenue records had been changed into the name of HDMC and the learned Single Judge was fully justified in upholding the claim of the writ petitioners.

25. A perusal of the impugned awards and Endorsement issued by the KRDCL for the purpose of declining to grant compensation in favour of the writ petitioners will indicate that the acquired lands fell within the road margin area and consequently,



the writ petitioners were not entitled to compensation towards the acquisition. The expression 'road margin' had not been defined either under the KTCP Act, KUDA Act, Karnataka Municipal Corporation Act or any other statutory provision till recently when the expression 'road margin' has been defined under the Zoning Regulation, 2023.

26. Section 7 of the KH Act empowers the State Government to demarcate and delineate buildings and control lines over the National Highways and State Highways. Invoking the said powers, the State Government has issued a Notification dated 09.05.1988 and Circular dated 22.12.2005 stipulating that no building should be constructed on either side of the State Highway to an extent of 40 meters from the centre of the State Highway and that there shall not be any construction in the said area, which is known as "no construction zone/road margin". It is pertinent to note that the object behind delineating and area marking the said portion to an extent of 40 meters from the centre of the State Highway as "no construction zone/road margin" is for the limited purpose of ensuring that no construction comes up in the said area so as to enable easy acquisition for road widening at a future point in time



and also to ensure that the cost of acquisition would be minimized and no hardship would be caused either to the State or persons who would otherwise put up construction within the said “no construction zone/road margin”. This aspect has been noticed by this Court in the case of ***Sri. A.R.Srinivasa Reddy Vs. Sri Singh and Others – Writ Petition No.2039/1998*** dated ***01.12.1999***, wherein it is held as under:-

"This is a writ petition filed by the petitioner in the nature of public interest litigation. The facts alleged in the writ petition are that the Bangalore-Bellary Road is National Highway No.7 and there is a Sales-Tax Checkpost situated after the Railway crossing outside the Bangalore City limits on N.H.7 and the entire land surrounding the checkpost office belongs to the State Government, Railway administration as well as to the Indian Medical Research Centre. It is alleged that the 1st respondent has constructed and running a hotel/Dhaba in the name and style of M/s.Shiva Bar and Restaurant, without any authority over the land and in utter violation of the National Highway Act. That is challenged in the writ petition.

When the facts were disputed, we had appointed a Commissioner to visit the spot and submit a report. The Commissioner has submitted a report stating therein that the 1st respondent's Dhaba comes within 40 Mts. of the center of the road. The notification issued by the Government in this regard provides:



"1. No building should be constructed on either side of the National Highway, State Highways and District Main roads to a width shown below. To such construction of shops, restaurants, hotels, no permission should be granted:

<i>From the Center of the Road</i>	
a) National Highways	40 Meters
b) State Highways	40 Meters
c) District Main Road	25 Meters

The Dhaba of the 1st respondent is within 40 Mts. from the Centre of the road and in violation of the conditions prescribed in Annexure-A i.e., circular of the Government dated: 09.05.1988. Therefore, we direct the 1st respondent to remove the entire construction within a period of four months from today. In case of failure to remove the same, the 2nd respondent is directed to demolish and recover the cost from the 1st respondent and to report compliance to the Registrar of this Court within two weeks after the expiry of the said four months.

Respondents-Authorities are directed to strictly comply with the conditions in Annexure-A so that no construction is made on the Highways within the limits prescribed therein and they are further directed not to allow any construction to remain on the Highways which are constructed within the prescribed limits, within period of two months from today.

Government Advocate is directed to communicate this order to all the authorities of the Government concerned.

Writ petition allowed accordingly".



27. The aforesaid judgment was followed by the Hon'ble Division Bench of this Court in the case of **Sri Dayanand B. Shetty vs. The Executive Engineer and others – Writ Petition No.36314/2019** dated **25.08.202**, wherein it was held as under:

“The petitioner before this Court has filed the present petition stating that Respondent Nos.6, 7, 8, 9 and 10 have illegally constructed the structures crossing the building line adjoining the National Highway, i.e., National Highway - 66. It has been further stated that no construction is permitted in "no construction zone" and as per the Circular issued by the State Government dated 22nd December, 2005, "no construction zone" in respect of National Highway is upto 40 meters, State Highway is upto 40 meters and District main road is upto 25 meters. This Court by an order dated 26th February 2021, as the petitioner is a neighbor of the private respondents has treated the present Public Interest Litigation as a suo motu petition. Reply has been filed in the matter by Respondent Nos.6, 7, 8, 9 and 10 and it is not in dispute that the construction is in "no construction zone".

2. *The learned Senior Counsel appearing for National Highway Authority of India has argued before this Court that no construction can take place in the "no construction zone", keeping in view of Sections 7 and 9 of the Karnataka Highways Act, 1964 read with the Circular dated 22nd December, 2005 issued by the State Government. He has also stated that similar controversy*



has already been adjudicated in Writ Petition No.2039 of 1998 decided by the Division Bench on 01st December, 1999. It is not in dispute that the construction is within 40 meters from the National Highway and the statutory provisions have been violated while carrying out construction by Respondent Nos.7, 8, 9 and 10. The learned counsel for Respondent Nos.7, 8, 9 and 10 has also argued before this Court that the construction has been carried out after obtaining permission from the competent Authorities and the respondents are not at fault in the matter. It is true that permission was granted from time to time for construction of the building but the fact remains that the construction is in "no construction zone" and contrary to the statutory provisions. The Division Bench of this Court in the case of Sri A.R.Srinivasa Reddy Vs. Sri Singh and others in Writ Petition No.2039 of 1998 decided on 01st December, 1999 has passed the following order:

"This is a writ petition filed by the petitioner in the nature of public interest litigation. The facts alleged in the writ petition are that the Bangalore-Bellary Road is National Highway No.7 and there is a Sales-Tax Checkpost situated after the Railway crossing outside the Bangalore City limits on N.H.7 and the entire land surrounding the checkpost office belongs to the State Government, Railway administration as well as to the Indian Medical Research Centre. It is alleged that the 1st respondent has constructed and running a hotel/Dhaba in the name and style of M/s.Shiva Bar and Restaurant, without any authority over the land and in utter violation of the National Highway Act. That is challenged in the writ petition.

When the facts were disputed, we had appointed a Commissioner to visit the spot and submit a report. The Commissioner has submitted a report stating therein that the 1st respondent's Dhaba



comes within 40 Mts. of the center of the road. The notification issued by the Government in this regard provides:

"1. No building should be constructed on either side of the National Highway, State Highways and District Main roads to a width shown below. To such construction of shops, restaurants, hotels, no permission should be granted:

From the Center of the Road

- | | |
|-----------------------|-----------|
| a) National Highways | 40 |
| Meters | |
| b) State Highways | 40 |
| Meters | |
| c) District Main Road | 25 Meters |

The Dhaba of the 1st respondent is within 40 Mts. from the Centre of the road and in violation of the conditions prescribed in Annexure-A i.e., circular of the Government dated: 09.05.1988. Therefore, we direct the 1st respondent to remove the entire construction within a period of four months from today. In case of failure to remove the same, the 2nd respondent is directed to demolish and recover the cost from the 1st respondent and to report compliance to the Registrar of this Court within two weeks after the expiry of the said four months.

Respondents-Authorities are directed to strictly comply with the conditions in Annexure-A so that no construction is made on the Highways within the limits prescribed therein and they are further directed not to allow any construction to remain on the Highways which are constructed within the prescribed limits, within period of two months from today.

Government Advocate is directed to communicate this order to all the authorities of the Government concerned.

Writ petition allowed accordingly".

3. The aforesaid judgment will make it very clear that there cannot be any construction within the area of 40 meters from the centre of the road being National Highway.

4. In the light of the aforesaid judgment and also keeping in view of the statutory provisions and also as per the Circular dated 22nd December, 2005 issued by the



Government of Karnataka, the buildings constructed crossing the building line have to be demolished to the extent they are crossing the building line. The other important aspect of the matter is that the Authorities who have granted permission for such unauthorized constructions also deserves to be proceeded in accordance with law.

Resultantly, the writ petition stands disposed of with the following terms:

i) Respondent Nos.1 to 6 shall ensure that the constructions, which are within the "no construction zone", i.e., within 40 meters of the National Highway - 66 i.e, upto 40 meters away from the centre of the road are to be demolished within a period of sixty days from today.

ii) The Chief Secretary or an Officer nominated by the Chief Secretary shall hold a fact finding enquiry in the matter for fixing the responsibility upon the persons who have granted such illegal permission in respect of the various building permissions granted within "no construction zone" and after conducting a fact finding enquiry, the State of Karnataka shall be free to initiate departmental enquiry/criminal prosecution, if law permits in accordance with law. The exercise of conducting fact finding enquiry be concluded within a period of two months from today".

28. In **Gopal Baburao's** case supra, the Apex Court held as under:-



“ 3. The petitioner alleges that the acquired land measuring 2715 sq m, was a narrow strip which fell within the 40 m margin from the centre of the highway where constructions were prohibited. It is contended that as the acquired land could not be used for construction, the land had to be considered as not having any development potential, and that therefore it could not be compared with the land (which was the subject-matter of LAC No. 48 of 1995) for which compensation had been determined having regard to its potential for development. It was also contended that being a narrow strip it was also not of much use even for agricultural purposes.

4. A long strip of land measuring more than two-thirds of an acre lying alongside and adjoining the highway cannot be treated as a land without value or without any potential for development, merely on the ground that the law relating to highways prohibited construction on either side of the highway, up to a depth of 40 m from the centre of the highway. All that was required to create or realise potential of such land was to annex or merge the said strip of land with the land to its rear. In that event, the strip of land will become the “access” to the rear side land from the main road and will also become the frontage of the aggregate land, thereby enhancing the potential and value of the rear side land, as also creating a potential for its own use.

5. The contention that a land adjoining the highway should be treated as having no development potential (and therefore as land without much value except as ordinary agricultural land), while considering the lands to its rear which are farther away from the road, or other adjoining lands of the same extent, but having more depth (so as to extend beyond the 40 m margin) as having potential for development, is illogical and cannot be accepted.

6. We may demonstrate the absurdity of such a contention with reference to an illustration. Let us take the example of a residential plot of land measuring 60' × 100'. Let us assume that the municipal bye-laws require a front (roadside) set-back of 20' for construction of houses in a plot of that size. Therefore, the owner would leave a twenty feet wide front strip in the said plot free of any construction while putting up the construction in the plot. Obviously, he cannot thereafter construct in that front strip. Let us further assume that the front strip is acquired for road widening. Can the acquiring authority deny compensation to that strip



on the ground that the said 20' strip acquired for road widening could not in any event be used for any construction purpose and therefore, was not of any value? Obviously not.

7. Therefore, determination of market value of the acquired land with reference to the value of comparable land cannot be faulted”.

29. A perusal of the aforesaid Notification, Circular and judgments will indicate that the “no construction zone/road margin” is earmarked for the limited purpose of ensuring that no construction is undertaken in the said area; however, the said restriction placed upon the land owners from putting up construction cannot be construed or treated as preventing the land losers from claiming compensation in the event the lands were acquired for road widening; depriving the land owners from claiming compensation in the event of acquisition of their lands falling within “no construction zone/road margin” would clearly run counter and contrary to their constitutional rights guaranteed under Article 300-A of the Constitution of India; further, in the absence of any nexus/connection between the subject lands being allegedly demarcated /earmarked as “no construction zone/road margin” under the said Government notification/circular and the right of the land owners to receive compensation towards acquisition of the said lands, it could not be said that the petitioners were not entitled



to receive compensation; in other words, demarcating/earmarking the subject lands for road widening would have the limited/restricted effect of preventing construction activity and would neither affect the right, title, interest or possession of the writ petitioners over the said lands nor their right to receive compensation upon acquisition for road widening and consequently, the said circumstance cannot be relied upon by the appellants to deprive the writ petitioners of their right to claim compensation or defeat their Constitutional Rights guaranteed under Article 300-A of the Constitution of India.

30. Under these circumstances, in the light of the undisputed fact that the claim for compensation put forth by the writ petitioners had been rejected on the sole ground that the subject lands were earmarked/demarcated as road margin, we are of the considered opinion that the learned Single Judge was fully justified in upholding the claim of the writ petitioners and awarding them compensation towards acquisition of the subject lands.

31. A perusal of the material on record including the impugned order passed by the learned Single Judge will indicate that in respective of layouts approved/sanctioned prior to the KUDA



Act, plans had been sanctioned in favour of predecessors- in-title of the respective writ petitioners under the provisions of KTCP Act. So also, some of the layouts were approved in favour of KIADB and plots were allotted in favour of the respective writ petitioners. In all such cases, the sole criteria for awarding compensation would be their right over the said properties and not the provisions of either the KUDA Act or plans sanctioned in their favour under the KUDA Act, particularly when the writ petitioners had acquired the said lands by virtue of various registered documents, viz., lease-cum-sale agreements, sale deeds, Wills, etc., executed in their favour by private persons as well as KIADB and the revenue records had been mutated into their respective names, which were undisputedly contained in the acquisition notifications; as stated supra, it was only prior to the award that the name of HDMC was clandestinely inserted in the revenue records by deleting the names of the writ petitioners without notifying them or initiating appropriate proceedings.

32. Under these circumstances, in the absence of any material to rebut the claim of the writ petitioners or their right, title, interest or possession over the subject lands or their right to claim



compensation, the learned Single Judge was completely justified in upholding claim of the land owners for compensation and the impugned order passed by the learned Single Judge does not warrant interference on this ground also.

33. The appellants contend that the writ petitioners and their predecessors-in-title have encroached upon the subject lands, which were not part and parcel of the layouts available for sale upon their formation and were accordingly Government lands, in respect of which, the writ petitioners were not entitled to compensation. This contention urged by the appellants cannot be accepted for more than one reason; firstly, the said claim is conspicuously absent in the impugned awards and endorsements issued by the KRDCCL intimating the writ petitioners that they are not entitled to compensation; secondly, the said contention was urged for the first time in the writ petitions and absolutely, no material was placed by the appellants to substantiate their claim, especially when they are not entitled to place reliance upon entries in the revenue records which were made out in the name of HDMC subsequent to issuance of the acquisition notifications; thirdly, the authorities had themselves granted approval/sanction for the



layouts, accepted registered documents and done all acts, deeds and things recognizing the right, title, interest and possession of the writ petitioners and their predecessors-in-title over the subject lands apart from the fact that the appellants had not put forth any claim over the subject lands on the ground that there was encroachment. Under these circumstances, this contention of the appellants cannot be accepted for the first time in the present appeals, especially when no such contentions were urged in the writ petitions before the learned Single Judge.

34. The appellants have also contended that once layout plans are approved/sanctioned under Section 17 of the KTCP Act and the subject lands are shown as road margin in the Master plan, the lands would automatically vest with the State and its authorities and the writ petitioners would not have any right over the lands nor can they claim compensation. In this context, it is relevant to state that the layouts in respect of the subject lands prior to 1987 (when the KUDA Act came into force) were sanctioned under the KTCP Act and it would be profitable to extract Sections 17 and 69 of the KTCP Act, which reads as under:



“17. Sanction for Sub-division of Plot or Lay-out of Private Street.

(1) Every person who intends to sub-divide his plot or make or lay-out a private street on or after the date of the publication of the declaration of intention to prepare the outline development plan under sub-section (1) of section 10, shall submit the lay-out plan together with the prescribed particulars to the Planning Authority for sanction.

(2) The Planning Authority may, within the prescribed period, sanction such plan either without modification or subject to such modifications and conditions as it considers expedient or may refuse to give sanction, if the Planning Authority is of opinion that such division or laying out is not in any way consistent with the proposals of the outline development plan.

(3) No compensation shall be payable for the refusal or the insertion, imposition or modification or conditions in the grant of sanction.

(4) If any person does any work in contravention of sub-section (1) or in contravention of the modifications and conditions of the sanction granted under sub-section (2) or despite refusal for the sanction under the said sub-section (2), the Planning Authority may direct such person by notice in writing to stop any work in progress and after making an inquiry in the prescribed manner, remove or pull down any work or restore the land to its original condition.



(5) Any expenses incurred by the Planning Authority under sub-section (4) shall be a sum due to the Planning Authority under this Act from the person in default.

¹*[(6) Any person aggrieved by the decision of the Planning Authority under sub-section (2) or sub-section (4) may, within thirty days from the date of such decision appeal to such authority as may be prescribed.*

(7) The prescribed authority may after giving a reasonable opportunity of being heard to the appellant and the Planning Authority, pass such order as it deems fit, as far as may be, within four months from the date of receipt of the appeal.]

69. Acquisition of Land Designated for Certain Purposes in a Development Plan.

(1) The Planning Authority may acquire any land designated,

(i) in an outline development plan for a purpose specified in clause (b), (c) or (d) of sub-section (1) of section 12, or for any public purpose out of those specified in clause (a) of sub-section (1) of section 12; or

(ii) in a comprehensive Development Plan for public purposes, by agreement or under the Land Acquisition Act, 1894, (Central Act I of 1894), as in force in the State. If the land is acquired under the Land Acquisition Act, 1894, the provisions of the said Act as amended by section 72 of this Act shall



apply to the determination of compensation for the acquisition of such land.

(2) If the designated land is not acquired by agreement within five years from the date the comprehensive Development Plan is published under sub-section (4) of section 22, or if the proceedings under the Land Acquisition Act, 1894, are not commenced within such period, the owner or any person interested in the land may serve notice to the Planning Authority and if within six months from the date of the service of such notice, the land is not acquired or no steps as aforesaid are commenced for its acquisition, the designation shall be deemed to have lapsed.

35. A perusal of Section 17 supra, will clearly indicate that the same does not contemplate vesting of the area adjacent to the State Highway and earmarked for road widening with the State and its authorities upon granting approval/sanction to the layout plan; Section 17 also does not provide for vesting of the said lands if they are shown for road purpose in the Master plan; on the other hand, Section 69 of the KTCP Act specifically mandates that such lands designated in the Master plan as 'public purpose/road' should be necessarily acquired under the Land Acquisition Act leading to the sole inference that compensation would be payable to the land owners upon such acquisition. It is therefore clear that mere



designation of the subject lands as 'road margin' in the Master plan would either vest the lands with the State and its authorities nor would affect the right of the writ petitioners over the subject lands including their right to claim compensation and consequently, even this contention of the appellants cannot be accepted.

36. The material on record discloses that except cases where plans had been approved/sanctioned under the KUDA Act, the rest of the plans were approved/sanctioned prior to KUDA Act coming into force in 1987. It is needless to state that Section 32(5) of the KUDA Act is not applicable to layouts approved/sanctioned prior to KUDA Act coming into force. As stated supra, the KUDA Act came into force w.e.f 01.01.1988 and some of the subject layouts were approved/sanctioned under Section 32 of the KUDA Act r/w Section 17 of the KTCP Act. In this context, it is the specific contention of the appellants that by virtue of Section 32(5) of the KUDA Act, the writ petitioners are not entitled to claim compensation upon the layout plan being sanction/approved under Section 32 of the KUDA Act. In order to appreciate this contention, it is profitable to extract Section 32 of the KUDA Act, which reads as under:-



“32. Formation of new extension or lay-outs or making new private streets.-

(1) Notwithstanding anything to the contrary in any law for the time being in force, no person shall form or attempt to form any extension or lay-out for the purpose of constructing building thereon without the express sanction in writing of the Authority and except in accordance with such conditions as the Authority may specify : Provided that where any such extension or layout lies within the local limits of a local authority, the Authority shall not sanction the formation of such extension or lay out without the concurrence of the local authority : Provided further that where the local authority and the Authority do not agree on the formation of or the conditions relating to the extension or layout, the matter shall be referred to the Government, whose decision thereon shall be final.

(2) Any person intending to form an extension or layout, or to make a new private street shall send to the Commissioner a written application with plans and sections showing the following particulars :-

(a) the laying out of the sites of the area upon streets, lands or open spaces ;

(b) the intended level, direction and width of the street ; 18

(c) the street alignment and the building line and the proposed sites abutting the streets ;

(d) the arrangement to be made for levelling, paving, metalling, flagging, channelling, swearing, draining,



conserving and lighting the streets and for adequate drinking water supply.

(3) The provisions of this Act and any rules or bye-laws made under it as to the level and width of streets and the height of buildings abutting thereon shall apply also in the case of streets referred to in sub-section (2) and all the particulars referred to in that sub-section shall be subject to the approval of the Authority.

(4) Within six months after the receipt of any application under sub-section (2), the Authority shall either sanction the forming of the extension or layout to be in conformity with the guidelines to be issued by the Government or making of street on such conditions as it may think fit or disallow it or ask for further information with respect to it.

(5) The Authority may require the applicant to deposit, before sanctioning the application, the sums necessary for meeting the expenditure for making roads, side drains, culverts, underground drainage and water supply and lighting and charges for such other purpose as such applicant may be called upon by the Authority, provided the applicant also agrees to transfer the ownership of the roads, drains, water supply mains, parks and open spaces, civic amenity areas laid out by him to the Authority, permanently without claiming any compensation therefor.

(6) Such sanction may be refused,-

(i) if the proposed street would conflict with any arrangements which have been made or which in the



opinion of the Authority is likely to be made for carrying out any general scheme of street improvement or other schemes or development or expansion by the Authority ;

(ii) if the proposed street does not conform to the provisions of the Act, rules and bye-laws referred to in sub-section (3) ; or

(iii) if the proposed street is not designed so as to connect one end with a street which is already open ; or

(iv) if the layout in the opinion of the Authority cannot be fitted with any existing or proposed expansion or development schemes of the Authority.

(7) No person shall form a layout or make any new private street without the sanction of or otherwise than in conformity with the conditions imposed by the Authority. If the Authority requires further information from the applicant no steps shall be taken by him to form the layout or make the street until orders have been passed by the Authority after the receipt of such information: Provided that the passing of such orders shall not, in any case, be delayed for more than six months after the Authority has received all the information which it considers necessary to enable it to deal finally with the said application.

(8) If the Authority does not refuse sanction within six months from the date of the application under sub-section (2) or from the date of receipt of all information asked for under sub-section (7), such sanction shall be deemed to have been granted and the applicant may proceed to form the extension or layout or to make the



street, but not so as to contravene any or the provisions of this Act and the rules or bye-laws made under it.

(9) Any person who forms or attempts to form any extension or layout in contravention of the provisions of sub-section (1) or makes any street without or otherwise than in conformity with the orders of the Authority under this section, shall be liable on conviction, to a fine which may extend to ten thousand rupees.

37. A plain reading of Section 32(5) will clearly indicate that the same would apply only to internal roads, sewers etc., formed in the layout and not to any portion of the land earmarked for road widening under the prevailing Master plan. Section 32(5) contemplates that before granting sanction/approval, the KUDA authority(HDUDA) is entitled to call upon the applicant to deposit with the authority sums/monies necessary for providing amenities viz., roads, culverts, drains etc., provided the applicant also agrees to transfer ownership of the same as well as parks, civic amenities etc., in favour of HDUDA permanently without claiming any compensation. This requirement of transferring ownership roads, civic amenities etc., by the applicant is clearly restricted to internal roads of the layout and cannot be extended to include areas earmarked for road widening under the prevailing Master plan; the



procedure prescribed to obtain sanction/approval under Section 32(5) is unambiguous; before granting sanction/approval, HDUDA will call upon the applicant to deposit sums/monies for meeting the expenditure for making roads, side drains, culverts, underground drainage and water supply and lighting and charges for such other purpose in the layout; in addition thereto, the applicant would also have to agree to transfer the ownership of the roads, drains, water supply mains, parks and open spaces, civic amenity areas laid out by him to HDUDA permanently without claiming any compensation therefor; the twin requirement to be fulfilled by the applicant prior to grant of approval/sanction, viz., to deposit sums/monies towards expenditure for roads etc., and to agree to transfer ownership of roads etc., without claiming compensation, makes it unmistakably clear that the expression 'roads' contained in Section 32(5) is restricted to 'internal roads' or 'roads formed inside the layout' and will not be applicable to any portion of the subject layout demarcated/earmarked for road widening in the future.

38. To reiterate, wherever layout plans in relation to the subject lands were approved/sanctioned under Section 32 of the KUDA Act r/w Section 17 of the KTCP Act, Section 32(5) of the



KUDA Act cannot be made applicable to any portion of the layout abutting the subject Highway which have been earmarked/demarcated for road widening in future, either under the sanctioned/approved layout plan or under the prevailing Master Plan and Section 32(5) would apply only to those portions shown as roads(internal roads), culverts, parks etc., within the layout as provided in the said provision. Under these circumstances, it is clear that Section 32(5) of the KUDA Act would have absolutely no application to the subject lands allegedly earmarked for road widening either under the KH Act or under the prevailing Master Plan and consequently, the impugned awards/endorsements issued by the appellants declining to grant compensation in favour of the respondents/writ petitioners towards acquisition of the subject lands have been correctly quashed by the learned Single Judge.

39. It is also pertinent to note that even assuming that Section 32(5) of the KUDA Act was applicable, in the absence of any relinquishment deed/document executed by the landowners in favour of the HDUDA in respect of the subject lands allegedly earmarked for road widening, the said provision by itself would not



have the effect of divesting the lands from the landowners and transferring/vesting the same in the name of HDUDA so as to prevent the writ petitioners from claiming compensation; further, Section 32(5) merely contemplates an agreement (to be executed) by the landowners at the time of sanction/approval of the layout and the said condition cannot be construed or interpreted to deprive the landowners of their right to claim compensation, particularly when such a construction /interpretation to be placed upon Section 32(5) would run counter to Article 300-A of the Constitution of India.

40. The appellants also contend that while granting approval/sanction for single plot layouts and KIADB layouts, the HDUDA had imposed a condition that the areas earmarked for road widening would be relinquished by the writ petitioners in favour of HDUDA free of cost and since the writ petitioners had accepted the said condition, they are estopped from claiming compensation towards acquisition of the said lands. This contention of the appellants cannot be accepted in view of the judgments of this Court in ***Dr. Arun Kumar's case, Vinod Damji Patel's case, Nagangouda Patil's case and M/s. SNN Abode LLP's case***



(supra), wherein it is held that such conditions are illegal, invalid and unenforceable being violative of Article 300-A of the Constitution of India; further, the Notification dated 10.03.2006 issued by the State Government under Section 13-E of the KTCP Act clearly indicates that such a condition was impermissible and cannot be imposed in respect of single plot layouts; significantly, the said condition, even if legally valid would merely require the writ petitioners not to oppose or raise any objections in the event of acquisition of the lands for road widening, but certainly would not affect their proprietary or possessory rights over the lands nor their right to claim compensation towards acquisition of the lands, especially when there is no nexus or connection whatsoever between compliance of the said condition and the right of the writ petitioners to receive compensation towards acquisition of the lands, which is constitutionally protected under Article 300-A of the Constitution of India; at any rate, in the absence of any relinquishment deed executed by the writ petitioners in favour of the HDUDA actually relinquishing/releasing their rights over the lands by executing requisite registered documents/deeds, we are of the view that the writ petitioners cannot be deprived of their right to claim compensation towards acquisition of the subject lands.



41. Insofar as the contention urged by the appellants that having obtained sanction/approval subject to terms and conditions, the writ petitioners were not entitled to approbate and reprobate and claim compensation is concerned, the learned single Judge has dealt with this contention and recorded a correct finding that the said conduct of the writ petitioners would neither militate against them nor operate as estoppel against their right to claim compensation towards acquisition of the subject lands in view of the constitutional protection guaranteed under Article 300-A of the Constitution of India; accordingly, we do not find any illegality or infirmity in the said finding recorded by the learned Single Judge warranting interference in the present appeal.

42. Insofar as the judgments relied upon by the appellants are concerned, the principles enunciated in the said judgments are not applicable to the facts of the instant case and as such, the same are not referred to in detail for the purpose of disposal of the present appeals.

43. A perusal of the impugned order will indicate that the learned Single Judge has declared that the Endorsement issued by the SLAO deserves to be quashed and consequently, directed



payment of compensation within a stipulated time frame. However, since in some cases, award has already been passed, as consequently dismissing the present batch of writ appeals, the said award would necessarily have to be quashed and the impugned order deserves to be modified to the said extent.

44. In the result, we proceed to pass the following:-

ORDER

(i) All the above writ appeals are ***dismissed***.

(ii) The impugned common order dated 22.12.2021 passed in W.P.No.108208/2016 and connected matters is hereby confirmed.

(iii) In addition thereto, wherever the SLAO has passed awards denying the compensation in favour of the respective writ petitioners, all such awards would stand quashed.

(iv) All consequent Endorsements, communications etc., pursuant to the said awards are also hereby quashed.

(v) The appellants are directed to pass fresh awards and grant / pay compensation in favour of the respective writ petitioners in accordance with law along with all statutory benefits, interest etc., within a period of three months from the date of receipt of a copy of this order.



(vi) Liberty is reserved in favour of the respective writ petitioners to seek enhancement of compensation, after fresh awards passed by the appellants pursuant to this order by taking recourse to such remedies as available in law.

(vii) Except the aforesaid modifications, rest of the impugned order passed by learned Single Judge is hereby confirmed and same stands unaltered.

In view of disposal of these writ appeals, interim applications, if any, does not survive for consideration and the same are hereby disposed of.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

Srl.