**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 18TH DAY OF DECEMBER, 2024**

**BEFORE**

**THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM**

**MISCL. FIRST APPEAL NO.203762 OF 2023 (LAC)**

**BETWEEN:**

1. THE CHIEF ENGINEER,
   KNNL, ZONE,
   KALABURAGI-585102
2. THE EXECUTIVE ENGINEER,
   BLI DIVISION,
   TQ: AFZALPUR-585301,
   DIS: KALABURAGI

...APPELLANTS

(BY SRI SHARANABASAVA C. PASTAPUR, ADVOCATE)

**AND:**

Digitally signed by RENUKA
Location: HIGH COURT OF KARNATAKA

1. MALAPPA S/O CHANDRASHA NADUVINKERI,
   AGE: 53 YEARS,
   OCC: AGRICULTURE,
   R/O: ATNOOR VILLAGE-585301,
   TQ: AFZALPUR,
   DIST: KALABURAGI
2. THE DEPUTY COMMISSIONER,
   KALABURAGI-585102
3. THE SPECIAL LAND ACQUISITION OFFICER,
   KNNL, BNT,
   KALABURAGI-585102

...RESPONDENTS

(BY SRI VEERANAGOUDA MALIPATIL, HCGP FOR R2 AND R3)

THIS MFA IS FILED U/S 74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, PRAYING TO, I) CALL FOR THE RECORDS IN LAC NO. 25/2018 PASSED BY THE HONOURABLE I ADDL DISTRICT AND SESSIONS JUDGE, AT KALABURAGI II) ALLOW THE APPEAL AND SET ASIDE THE JUDGEMENT AND AWARD DATED 12-01-2022 IN LAC NO.25/2018 PASSED BY THE HONOURABLE I ADDL DISTRICT AND SESSIONS JUDGE, AT KALABURAGI.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

**ORAL JUDGMENT**

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The present appeal, filed under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, challenges the judgment dated 12.01.2022 in LAC No.25/2018. However, the appeal is filed after a delay of 343 days beyond the statutory limitation period of 120 days prescribed under Section 74(1) of the Act. This Court, following the Division Bench ruling in MFA No.102543/2022 dated 23.09.2024, holds that the limitation period under the Act is mandatory and non-

extendable. Relying on precedents, including **In *Union of India vs. Popular Construction Co.*[1]** and ***State of Kerala vs. V.R. Kalliyanikutty*[2]** , the appeal is dismissed as time-barred, without addressing the merits. Parties shall bear their respective costs.

In view of disposal of main appeal, pending applications, if any, stand rejected.

The Court fee paid, if any, shall be refunded in accordance with law.

**Sd/-**
**(SACHIN SHANKAR MAGADUM)**
**JUDGE**

Srt
List No.: 2 Sl. No.: 1
CT-AK

[1] 2001 (8) SCC 470

[2] 1999 (3) SCC 657