



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

**MISCL. FIRST APPEAL NO. 203164 OF 2024 (LAC-
Chimmalagi Lift Irrigation)**

BETWEEN:

SHANTAYYA S/O GIRIMALLAYYA MATH,
AGE. 69 YEARS, OCC: AGRICULTURE,
R/O KAWADIMATTI,
TQ. MUDDEBIHAL,
DIST. VIJAYAPURA.

...APPELLANT

(BY SRI. HARSHAVARDHAN R MALIPATIL,ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER
UKP ALMATTI, TQ. B. BAGEWADI,
DIST. VIJAYAPURA.
2. THE COMMISSIONER
REHABILITATION AND RESETTLEMENT,
SECRETARY FOR LAND ACQUISITION DIVISION,
GOVT. OF KARNATAKA,
NAVANAGAR,
BAGALKOT.
3. THE GENERAL MANAGER
REHABILITATION AND RESETTLEMENT,
LAND ACQUISITION DIVISION,

Digitally signed
by RENUKA
Location: High
Court Of
Karnataka



NAVANAGAR, BAGALKOT.

4. THE SPECIAL DEPUTY COMMISSIONER
REHABILITATION AND RESETTLEMENT,
LAND ACQUISITION DIVISION,
NAVANAGAR, BAGALKOT.

...RESPONDENTS

THIS MFA IS FILED U/S. 74(1) OF RIGHT TO FAIR
COMPENSATION TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, PRAYING TO
ALLOW THIS APPEAL WITH COSTS AND MODIFY THE
JUDGMENT AND AWARD PASSED BY THE III ADDL. DISTRICT
JUDGE AND THE LAND ACQUISITION, REHABILITATION AND
SETTLEMENT AUTHORITY, VIJAYAPURA DATED 13.10.2023
PASSED IN LAC NO.589 /2019 AND FIX THE MARKET VALUE
FOR LAND ACQUIRED AT THE RATE OF RS.1000/- PER SQ MTR,
AND AWARD ALL STATUTORY BENEFITS INCLUDING INTEREST
15% PER ANNUM AS PER SECTION 80 OF 2013 ACT, AND ETC.,

THIS MFA APPEAL IS 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 13.10.2023 in LAC No.589/2019. However, the appeal is filed after a delay of 120 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. Kalliyankutty*²**, the appeal is dismissed as time-barred, without addressing the merits. Parties shall bear their respective costs.

¹ 2001 (8) SCC 470

² 1999 (3) SCC 657



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

NJ
List No.: 3 Sl No.: 50