**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 17TH DAY OF DECEMBER, 2024**

**BEFORE**

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

**MISCL. FIRST APPEAL NO. 202979 OF 2023 (LAC)**

**BETWEEN:**

1. THE CHIEF ENGINEER
   KNNL ZONE, KALABURAGI

2. THE EXECUTIVE ENGINEER
   BLI DIVISION, AFZALPUR
   DISTRICT KALABURAGI

…APPELLANTS

(BY SRI. KRUPA SAGAR PATIL, ADVOCATE)

**AND:**

1. IRANNA
   S/O SHARANAPPA NARONI
   AGE 52 YEARS, OCCUPATION AGRICULTURE
   R/O VILLAGE ATNOOR, TALUK AFZALPUR
   DISTRICT KALABURAGI-585101

2. THE DEPUTY COMMISSIONER
   KALABURAGI-585101

3. THE SPECIAL LAND ACQUISITION OFFICER
   KNNL, BNT, KALABURAGI-585101.

…RESPONDENTS

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

THIS MFA IS FILED U/S. 74(1) OF THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION

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Location: HIGH COURT OF KARNATAKA

REHABILITATION AND RESETTLEMENT ACT, PRAYING TO CALL FOR THE RECORDS FROM THE I ADDL DISTRICT AND SESSIONS JUDGE, KALABURAGI IN LAC NO. 95/2018, SET ASIDE THE JUDGEMENT AND AWARD IN LAC NO. 95/2018 DATED 05.04.2022, ON THE FILE OF THE I ADDL DISTRICT AND SESSION JUDGE, KALABURAGI IN THE INTEREST OF JUSTICE AND EQUITY.

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 and award dated 05.04.2022 in LAC No.95/2018. However, the appeal is filed after a delay of 360 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 *Union of*

*India vs. Popular Construction Co.* and *State of Kerala vs. V.R. Kalliyanikutty reported in AIR 1999 SC 1305*, 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**

NBM
List No.: 3 Sl No.: 48