IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 30TH DAY OF OCTOBER, 2024

PRESENT

THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

MISCELLANEOUS FIRST APPEAL NO. 102830 OF 2023 (LAC)

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
UKP, JAMAKHANDI 587301.

2. THE STATE OF KARNATAKA
R/BY. DEPUTY COMMISSIONER,
NAVANGAR, BAGALKOT 587101.

...APPELLANTS

(BY SRI PRAVEEN K. UPPAR, AGA)

AND:

SMT. GANGAWWA W/O KOTRAYYA HALAGALI
AGE 65 YEARS, OCC AGRICULTURE,
R/O LOKAPUR, TQ. MUDHOL, DIST. BAGALKOT.

...RESPONDENT

(BY SRI. LINGARAJ MARADI, ADVOCATE)

Digitally signed by MANJANNA E
Location: HIGH COURT OF KARNATAKA DHARWAD BENCH
Date: 2024.11.07 11:07:49 +0530

THIS MFA IS FILED U/SEC.74 (1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT KARNATAKA ACT, 2013, AGAINST THE JUDGMENT AND AWARD DATED 06.12.2022 PASSED IN LAC.NO.318/2018 ON THE FILE OF THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, BAGALKOT, TO SIT AT JAMKHANDI AND LAND ACQUISITION, REHABILITATION AND RESETTLEMENT AUTHORITY, JAMKHANDI, AWARDING COMPENSATION OF RS. 4,412/- PER SQUARE METER.

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

CORAM: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD
AND
THE HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD)

This appeal is filed by the State under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the Act', for short) challenging the judgment and award dated 06.12.2022 and 14.12.2022 respectively passed in L.A.C. No.318/2018 by the learned I Addl. District and Sessions Judge, Bagalkot, to sit at Jamkhandi and the Land Acquisition, Rehabilitation and Resettlement Authority, Jamkhandi, whereby the Reference Court fixed market value of the acquired land at the rate of Rs.4,412/- per square meter.

2. There is a delay of 94 days in filing the appeal, which is beyond the statutory permissible limit under the provisions of the Act.

3. In view of the judgment of co-ordinate Bench of this Court in MFA No.102543/2022, disposed off on 23.09.2024, the present appeal is not maintainable.

4. Accordingly, this appeal is ***dismissed*** in terms of judgment of this Court in MFA No.102543/2022, dated 23.09.2024. As a consequence, pending applications do not survive for consideration.

Sd/-
(H.T.NARENDRA PRASAD)
JUDGE

Sd/-
(VENKATESH NAIK T)
JUDGE

RSH
CT-MCK
LIST NO.: 3 SL NO.: 2