



**IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH**

**DATED THIS THE 22<sup>ND</sup> DAY OF FEBRUARY, 2023**

**BEFORE**

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

**WRIT PETITION NO. 100852 OF 2023 (LA-RES)**

**BETWEEN:**

1. SANTOSH S/O YAMANAPPA WALIKAR,  
AGE. 30 YEARS, OCC. AGRICULTURE,  
R/O. KHAJAGAL, TAL. HUNAGUND,  
DIST. BAGALKOT-587118.
2. BHIMAPPA S/O YAMANAPPA WALIKAR,  
AGE. 28 YEARS, OCC. AGRICUTLURE,  
R/O. KHAJAGAL, TAL. HUNAGUND,  
DIST. BAGALKOT-587118.

...PETITIONERS

(BY SRI. S.C.HIREMATH, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REPRESENTED BY THE SECRETARY,  
REVENUE DEPARTMENT,  
M S BUILDING, BANGALORE 01.
2. THE COMMISSIONER,  
REHABILITATION AND LAND ACQUISITION,  
SECRETARY TO GOVERNMENT,  
REVENUE DEPARTMENT,  
NAVANAGAR, BAGALKOT.
3. SPECIAL DEPUTY COMMISSIONER AND  
THE GROUP MANAGER,  
LAQ AND R AND R  
UKP NAVANAGAR, BAGALKOT.
4. SPECIAL LAND ACQUISTIION OFFICER  
UPPER KRISHNA PROJECT,





NAVANAGAR, BAGALKOT.

...RESPONDENTS

(BY SRI PRASHANT V.MOGALI, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO. 4 TO PASS AN AWARD ON THE APPLICATION FILED BY THE PETITIONER UNDER SECTION 28A IN TERMS OF JUDGMENT AND AWARD AS PER ANNEXURE-A COPY OF WHICH IS PRODUCED HEREIN AS PER ANNEXURE-B.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

In this writ petition, the petitioners have sought for the following reliefs:

"Issue a writ of mandamus directing the respondent No.4 to pass an award on the application filed by the petitioner under Section 28A in terms of judgment and award as per Annexure-A, copy of which is produced herein as per Annexure-B."

2. Heard learned counsel for the petitioners and learned HCGP for the respondents. Perused the material on record.

3. It is the grievance of the petitioners that their application under Section 28A of the Land Acquisition Act,



submitted to the 4<sup>th</sup> respondent has not been considered so far by them nor any order has been passed on the same. Under these circumstances, the petitioners are before this Court by way of the present petition.

4. *Per contra*, learned HCGP for the respondents submits that if reasonable time is given, they would consider and pass necessary orders on the said application.

5. In view of the aforesaid facts and circumstances and rival submissions, the Deputy Commissioner is directed to pass and award under Section 28A of the Land Acquisition Act in accordance with law, if not already disposed off, as expeditiously as possible within a period of three months from the date of receipt of a copy of this order.

With the aforesaid directions, the petition stands disposed off.

**SD  
JUDGE**

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List No.: 1 Sl No.: 72