



NC: 2025:KHC-D:1931-DB
MFA No. 102550 of 2023
C/W MFA No. 103605 of 2023
MFA No. 102803 of 2023
AND 7 OTHERS

IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 30TH DAY OF JANUARY, 2025

PRESENT

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

AND

THE HON'BLE MR. JUSTICE G BASAVARAJA

MISCELLANEOUS FIRST APPEAL NO. 102550 OF 2023 (LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103605 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 102803 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 102804 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103192 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103278 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103606 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103610 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103611 OF 2023(LAC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 103612 OF 2023(LAC)

IN M.F.A.No.102550/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)





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MFA No. 102550 of 2023
C/W MFA No. 103605 of 2023
MFA No. 102803 of 2023
AND 7 OTHERS

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

SHAMANNA S/O BASAPPA
SINCE DEACES BY HIS LRS,
2. PARVATHAMMA
W/O LATE SHAMANNA,
AGED ABOUT 68 YEARS
OCC: HOUSEHOLD, R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 283
3. HULIGEMMA
W/O HANUMANTHAPPA
AGED ABOUT 45 YEARS
OCC: HOUSEHOLD
R/O, GANGAVATHI TALUK
DIST: KOPPAL – 583 227.
4. YAMANAMMA
W/O HANUMANTHAPPA
AGED ABOUT 42 YEARS
OCC: HOUSEHOLD
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST; KOPPAL – 583 283.
5. PHAKEERAMMA
W/O PARASHURAM
AGED ABOUT 39 YEARS
OCC: HOSEHOLD
R/O GUNNAL, TQ: YELBURGA
DIST: KOPPAL – 583 236.
6. MUTTANNA
S/O LATE SHAMANNA
AGED ABOUT 35 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 283



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7. HANUMANTHA
S/O LATE SHAMANNA,
AGED ABOUT 25 YEARS
OCC: HOUSEHOLD,
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 283
8. PURUGAMMA
W/O HANUMANTHAPPA
AGED ABOUT 29 YEARS
OCC: HOUSEHOLD
R/O UDAMAKAL VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 583 227.
9. BHOGAMMA
W/O PRASHURAM
AGED ABOUT 27 YEARS
OCC: HOUSEHOLD
R/O. GUNNAL TQ: YELBURAGA
DIST: KOPPAL – 583 236.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-6)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE
JUDGMENT AND AWARD DTD 20.03.2023 PASSED IN LAC.NO.229/2020
ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, AT
KOPPAL, AWARDED COMPENSATION OF RS.50/- PER SQUARE FEET.

IN M.F.A.No.103605/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)



NC: 2025:KHC-D:1931-DB
MFA No. 102550 of 2023
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MFA No. 102803 of 2023
AND 7 OTHERS

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

PHAKIRAPPA S/O YAMANAPPA
SINCE DECEASED BY HIS

2. BASAVARAJ
S/O PHAKIRAPPA
AGE. 41 YEARS,
OCC. AGRICULTURE,
R/O. 3RD WARD, NAVALI VILLAGE,
TQ. KANAKAGIRI,
DIST. KOPPAL – 585 231.

3. DURUGAMMA
D/O PHAKIRAPPA
AGE. 48 YEARS,
OCC. AGRICULTURE,
R/O. 3RD WARD NAVALI,
TQ. KANAKAGIRI,
DIST. KOPPAL – 583 231.

4. DURUGAMMA W/O BASAVARAJ
AGE. 37 YEARS,
OCC. HOUSEHOLD,
R/O. 3RD WARD NAVALI VILLAGE,
TQ. KANAKAGIRI,
DIST. KOPPAL – 583 231.

5. AMBAVVA
W/O DURUGAPPA
AGE. 46 YEARS,
OCC. HOUSEHOLD,
R/O. 3RD WAR NAVALI,
TQ. KANAKAGIRI,
DIST. KOPPAL – 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)



NC: 2025:KHC-D:1931-DB
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AND 7 OTHERS

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE JUDGMENT AND AWARD DTD 20.03.2023 PASSED IN LAC.NO.229/2020 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, AT KOPPAL, AWARDED COMPENSATION OF RS.50/- PER SQUARE FEET.

IN M.F.A.No.102803/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL,
DIST. KOPPAL – 583 231.
2. RAMANNA
S/O BHEEMAPPA @ BHARAMAPPA
AGED ABOUT 57 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 583 227.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 227/2020 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL



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MFA No. 102803 of 2023
AND 7 OTHERS

IN M.F.A.No.102804/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC,
KARATAGI – 583 229.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

PAKEERAPPA
S/O PAKEERAPPA
SINCE DECESED BY HIS LRS.

2. ERAMMA
W/O LATE PAKEERAPPA
AGED ABOUT 68 YEARS
OCC: HOUSEHOLD WORK
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL - 583 231.

3. HANUMANTHAPPA
S/O LATE PAKEERAPPA
AGED ABOUT 50 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: KANAKUGIR
DIST: KOPPAL – 583 231.

4. NAGAPPA
S/O ALTE PAKEERAPPA
AGED ABOUT 48 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 231.



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5. DURAPPA
S/O LATE PAKERAPPA
AGED ABOUT MAJOR
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE
JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 220/2020 ON
THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL
AND ETC.

IN M.F.A.No.103192/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.
2. MURTUZASAB S/O KHADARSAB
AGED ABOUT 58 YEARS
R/O NAVALI VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 582 321.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)



NC: 2025:KHC-D:1931-DB
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MFA No. 102803 of 2023
AND 7 OTHERS

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 225/2020 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL AND ETC.

IN M.F.A.No.103278/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

2. SHANKRAPPA
S/O MUNIYAPPA @ MARIYAPPA
AGED ABOUT 51 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 230/2020 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL AND ETC.



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IN M.F.A.No.103606/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

HANUMANTAPPA
@ SANNA HANUMANTAPPA
SINCE DECEASED BY HIS LRS

2. DURUGAMMA @ DURAGAVVA
W/O LATE SANNA
HANUMANTAPPA BAJANTRI
AGED ABOUT 68 YEARS
OCC: HOUSHOLD
R/O NAVALI VILLAGE
TQ: KANAKAGIRI
DIST: KOPPAL – 583 231.

3. DURAMMA
W/O ERAPPA @ ERANNA
AGED ABOUT 43 YEARS
OCC: AGRICULTURE
R/O UDAMAKAL
TQ: KANAKAGIRI
DIST: KOPPAL – 583 231.

4. BHOGAMMA
W/O HANUMANTAPPA
AGED ABOUT 40 YEARS
OCC: AGRICULTURE
R/O: NAVALI VILLAGE
TQ: KANAKAGIRI, DIST: KOPPAL – 583 231.

5. MARIRAJ S/O SANNA HANUMANTAPPA
AGED ABOUT 38 YEARS



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MFA No. 102803 of 2023
AND 7 OTHERS

OCC: AGRICULTURE
R/O: NAVALI VILLAGE, TQ: KANAKAGIRI
DIST: KOPPAL – 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE
JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 232/2020 ON
THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL
AWARDING COMPENSATION OF RS.50/- PER SQUIRE FEET AND ETC.

IN M.F.A.No.103610/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.
2. VIRUPANNA S/O HANUMAPPA
AGED ABOUT 57 YEARS
OCC: AGRICULTURE
R/O NAVALI VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)



NC: 2025:KHC-D:1931-DB
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MFA No. 102803 of 2023
AND 7 OTHERS

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 221/2020 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL AWARDDING COMPEENATION OF RS. 50/- PER SQUARE FEET.

IN M.F.A.No.103611/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL.
DIST. KOPPAL – 583 231.

ERAPPA S/O DURUGAPPA
SINCE DECEASED BY HIS LRS.
2. ERAMMA W/O LATE ERAPPA,
AGE-66 YEARS,
OCC: HOUSEHOLD,
R/O NAVILE VILLAGE,
TQ-GANGAVATHI,
DIST.: KOPPAL – 582 321
3. VEERESH S/O LATE ERAPPA,
AGE-38 YEARS,
OCC – AGRICULTURE,
R/O NAVALI VILLAGE,
TQ. GANGAVATHI,
DIST.: KOPPAL – 582 321
4. BASAVARAJ S/O LATE ERAPPA,
AGE – 35 YEARS,
OCC – AGRICULTURE,
R/O NAVALI VILLAGE,
TQ. GANGAVATHI,
DIST.: KOPPAL – 582 321



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5. HULIGEMMA D/O LATE ERAPPA,
AGE 31 YEARS,
OCC.: HOUSEHOLD,
R/O NAVILE VILLAGE,
TQ-GANGAVATHI,
DIST.: KOPPAL.
PIN CODE – 582321
6. NAGARAJ S/O LATE ERAPPA,
AGE 30 YEARS,
OCC – AGRICULTURE,
R/O NAVALI VILLAGE,
TQ. GANGAVATHI,
DIST.: KOPPAL
PIN CODE – 582321
7. JADIYAMMA D/O LATE ERAPPA
AGED ABOUT 30 YEARS
OCC: HOUSEHOLD
R/O NAVALI VILLAGE
TQ: GANGAVATHI
DIST: KOPPAL – 582 321.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE
JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 228/2020 ON
THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL
AWARDING COMPENSATION OF RS. 50 PER SQUARE FEET.

IN M.F.A.No.103612/2023

BETWEEN:

THE SECRETARY OF PADDY
AND RICE PRODUCTION
SPECIAL APMC, KARATAGI.

...PETITIONER

(BY SRI.UDAYA HOLLA, SENIOR COUNSEL FOR
SRI. BRIJESH PATIL , ADVOCATE)



NC: 2025:KHC-D:1931-DB
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C/W MFA No. 103605 of 2023
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AND 7 OTHERS

AND:

1. THE LAND ACQUISITION OFFICER
AND ASSISTANT COMMISSIONER
KOPPAL DIST. KOPPAL – 583 231.

EARAPPA S/O SANNEPPA
SINCE DECEASED BY HIS LRS.
2. PUTRAMMA W/O LATE ERAPPA
AGED ABOUT 62 YEARS
3. DURUGAPPA S/O LATE ERAPPA
AGED ABOUT 33 YEARS
4. MANJAMMA D/O LATE ERAPPA
AGED ABOUT 23 YEARS
5. BHAGYAPPA
S/O LATE ERAPPA
AGED ABOUT 27 YEARS
6. ROOPAMMA D/O LATE ERAPPA
AGED ABOUT 22 YEARS.
7. YAMANOORAPPA S/O LATE ERAPPA
AGED ABOUT 18 YEARS
U/G SMT. PUTRAMMA.
8. GANGAMMA D/O LATE EARPPA
AGED ABOUT 17 YEARS

ALL ARE RESIDENTS OFNAVALI VILLAGE
TQ: GANGAVATHI, DIST: KOPPAL - 583 231.

...RESPONDENTS

(BY SRI. KESHAVA REDDY, AAG FOR R-1
SRI. PRAMOD N. KATHAVI, SENIOR COUNSEL FOR
SRI. LINGARAJ MARADI AND
SMT. M.P. REVATI, ADVOCATES FOR C/R-2)

THIS MFA IS FILED U/SEC.74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT ACT, 2013, AGAINST THE
JUDGMENT AND AWARD DTD 20.03.2023 MADE IN LAC NO. 231/2020 ON
THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, KOPPAL
AWARDING COMPENSATION OF RS. 50 PER SQUARE FEET.

THESE APPEALS COMING ON FOR FURTHER HEARING, THIS DAY,
S.R.KRISHNA KUMAR J., DELIVERED THE FOLLOWING:



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CORAM: THE HON'BLE MR. JUSTICE S.R. KRISHNA KUMAR
AND
THE HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE S.R. KRISHNA KUMAR)

All these appeals arise out of the impugned common judgment and decree dated 20.03.2023 passed by the Prl.District and Sessions Judge, Koppal, whereby the Reference Court allowed the claims / reference petitions filed by the respondents – claimants under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short ' the said Act of 2013'), thereby enhancing the compensation and fixing the rate at Rs.50/- per sq.ft. for the acquired lands together with statutory benefits, solatium, additional compensation on market value, interest etc., in favour of the respondents – claimants.

2. The appellant in all the appeals is the APMC who was arrayed as 2nd respondent before the Reference court along with the LAO who was arrayed as 1st respondent before the Reference



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court. The contesting respondents in all the appeals were the claimants before the Reference Court.

3. Since common questions of law and fact arise for consideration in all the appeals, they are taken up together and disposed of by this common judgment.

4. Heard learned Senior counsel appearing for the appellant – APMC and learned Senior counsel for the contesting respondents – claimants as well as learned AAG for the respondents – State and perused the material on record.

5. A perusal of the material on record will indicate that the subject lands situated at Navali village and Somanal village, Gangavathi Taluk, Koppal District, were acquired by the State for the benefit of the appellant - APMC, pursuant to preliminary Notification dated 27.12.2012, which was followed by a final notification dated 02.01.2014 which culminated in awards dated 30.04.2015 fixing the compensation at the rate of Rs.2 lakhs per acre in respect of lands at Navali village and Rs.1,50,000/- in respect of lands at Somanal village. The respondents – claimants having received the said award amounts under protest filed the



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instant claim petitions before the Reference court seeking enhancement of compensation. The claimants examined themselves as PW-1 to PW-12 and documentary evidence at Exs.P1 to P65 were marked on their behalf. The appellant – APMC also examined RW-1 to RW-12 and produced documentary evidence at Exs.R1 to R49. After hearing the parties, the Reference Court partly allowed the reference / claim petitions in part, thereby enhancing the compensation payable in favour of the respondents – claimants to Rs.50/- per sq.ft. for the acquired lands together with statutory benefits, solatium, additional compensation on market value, interest etc. Aggrieved by the impugned judgment and award, appellant is before this Court by way of the present appeals.

6. In the present appeals, the appellant has sought for permission to adduce additional evidence by filing applications and Memos in this regard as under:-

- (i) I.A.3/2023 dated 30.10.2023 under Order 41 Rule 27 CPC for permission to produce additional documents;
- (ii) I.A.2/2024 dated 12.06.2024 under Order 41 Rule 27 CPC for permission to produce additional documents;



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- (iii) I.A.3/2024 dated 12.06.2024 under Order 41 Rule 27 CPC for permission to produce additional documents;
- (iv) Memo dated 08.12.2023 along with documents.

7. The respondents – claimants have filed their objections to the aforesaid applications and Memo.

8. In addition to reiterating the various contentions urged in the appeals and referring to the material on record, learned Senior counsel for the appellant – APMC submitted that the Reference court committed a grave and serious error of law and facts in enhancing the compensation to Rs.50/- per sq.ft. by improper and erroneous appreciation of the material on record. It was submitted that the additional documents / evidence produced by the appellant in the present appeals would clearly establish that the respondents – claimants were not entitled to compensation at Rs.50/- per sq.ft. as wrongly awarded by the Reference court and the said documents would indicate that the compensation fixed by the LAO was just and proper. It was submitted that the additional documents comprising of sale deeds, distance certificates, village maps etc., are relevant and material for the purpose of disposal of the appeals



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as well as adjudication of the issues in controversy between the parties. It was further submitted that despite exercise of due diligence, it was not possible for the appellant to produce the said additional documents before the Reference Court prior to the impugned judgment and award and the inability and omission on the part of the appellant to produce the said documents before the Reference court was due to bonafide reasons, unavoidable circumstances and sufficient cause. It was submitted that the appellant intends to adduce oral evidence also and as such, it was necessary that the impugned judgment and award may be set aside and the matter may be remitted back to the Reference court for reconsideration afresh in accordance with law by permitting both sides to adduce additional evidence in support of their respective claims.

9. Per contra, learned Senior counsel for the respondents – claimants submits that apart from the fact that the Reference court was fully justified in enhancing the compensation payable in favour of the respondents-claimants by correctly and properly considering and appreciating the entire material on record, the request of the appellant for permission to produce additional documents is devoid



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of merit and the applications are liable to be dismissed. It was therefore submitted that there was no merit in the appeals and that the same are liable to be dismissed.

10. Learned AAG for the respondents – State would support the submissions made on behalf of the appellant – APMC and submit that in the light of the additional documents sought to be produced by the appellant, it would be necessary that the impugned judgment and award be set aside and the matter be remitted back to the Reference Court for reconsideration afresh in accordance with law.

11. We have given our anxious consideration to the rival contentions and perused the material on record.

12. The following points arise for consideration in the present appeals;

(i) Whether the appellant is entitled to produce additional documents in the present appeals?

(ii) Whether the impugned judgment and award passed by the Reference court warrants interference in the present appeals?



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Re-Point No.1:-

13. As stated supra, the LAO awarded compensation in a sum of Rs.2 lakhs per acre in respect of the subject lands at Navali village and Rs.1.5 lakhs per acre in respect of the subject lands at Somanal village. The Reference Court enhanced the compensation to Rs.50/- per sq.ft in favour of the respondents – claimants and while doing so, the Reference Court referred to the oral and documentary evidence on record. In this context, it is relevant to state that the additional documents sought to be produced by the appellant comprise of sale deeds, distance certificates, village maps, google maps etc., all of which, are clearly relevant and material for the purpose of determining and fixing the quantum of compensation of the subject lands. Further, the appellant's inability and omission to produce the said documents before the Reference Court was due to bonafide reasons, unavoidable circumstances and sufficient cause and that despite exercise of due diligence, it was not possible for the appellant to produce the said documents which are essential not only for disposal of the present appeals but also for adjudication of issues in controversy between the parties.



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13.1 Under these circumstances and in the facts of the instant cases, in particular, the dispute between the parties as regards quantum of compensation payable to the respondents – claimants, the additional documents referred to supra would clearly have a bearing / impact on the rival contentions regarding quantum of compensation to be fixed in relation to the subject lands and consequently, we are of the view that indulgence is to be shown in favour of the appellant by granting them permission to produce the additional documents sought for by them by way of the aforesaid applications and memo. At any rate, the respondents – claimants would be entitled to not only impeach the said additional documents but also adduce additional oral and documentary evidence in support of their claims and as such, it would be just and expedient to permit the appellant to produce additional documents sought for by them in the present appeals.

Point No.1 is accordingly answered in favour of the appellant by permitting them to produce additional documents and I.A.No.3/2023, I.A.No.2/2024 and I.A.3/2024 as well as the Memo dated 08.12.2023 filed by the appellant along with additional documents deserve to be allowed.



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Re-Point No.2:-

14. After having come to the conclusion that the appellant is entitled to produce additional documents by way of additional evidence, the next question that arises for consideration is the procedure to be adopted for the purpose of disposal of these appeals. In this context, it is relevant to state that having regard to the rival contentions in relation to the quantum of compensation to be fixed for the subject lands, it would be necessary to provide an opportunity to the appellant as well as the respondents – claimants to adduce oral evidence along with documentary evidence to establish their respective claims, for which purpose, it would be necessary to set aside the impugned judgment and award and remit the matters back to the jurisdictional Reference court for reconsideration afresh in accordance with law after providing one more opportunity to both parties.

14.1 The material on record and nature of documents now allowed to be produced by way of additional documents and the rival contentions urged by both sides will indicate that the admissibility, relevance and proof of the additional documents produced by the appellant as well as such other additional



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evidence to be produced by both sides has to be adjudicated after trial and as such, we deem it just and proper to set aside the impugned judgment and award and remit the matter back to the Reference Court for re-consideration afresh by leaving open all contentions on merits on all aspects to be adjudicated by the Reference Court in accordance with law.

Point No.(ii) is answered accordingly.

15. In the result, we proceed to pass the following:

ORDER

(i) All Miscellaneous First Appeals are hereby allowed.

(ii) All the applications filed by the appellant for additional evidence under Order 41 Rule 27 CPC in all the appeals including I.A.3/2023, I.A.2/2024, I.A.3/2024, Memo along with documents dated 08.12.2023 as applicable in the various appeals are hereby allowed and all additional documents produced by the appellant in the present appeals are received on record.

(iii) The impugned common judgment and award dated 20.03.2023 passed in LAC No.227/2020 c/w LAC Nos.220/2020, 221/2020, 224/2020, 225/2020, 228/2020, 229/2020, 230/2020,



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231/2020 and 232/2020 is hereby set aside and all the matters are remitted back to the jurisdictional Reference Court for re-consideration afresh in accordance with law.

(iv) Appellant and Respondents undertake to appear before the jurisdictional Reference Court on **10th February, 2025** without awaiting further notice from the jurisdictional Reference Court.

(v) The Registry of this Court is directed to transmit a copy of this order along with all the applications, Memos etc., with all additional documents produced by the appellant to the jurisdictional Reference Court forthwith without any delay.

(vi) Liberty is reserved in favour of both sides to adduce additional, oral and documentary evidence before the jurisdictional Reference Court in support of their respective claims;

(vii) Having regard to the fact that the subject lands were acquired in the year 2012, in the peculiar / special facts and circumstances of the instant case, the jurisdictional Reference Court is directed to conclude the proceedings and dispose of the matters afresh and in accordance with law, within a period of 45 days from **10th February, 2025**.



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(viii) All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the same.

(ix) The Registry is directed to refund the entire (100%) court fee paid by the appellant on the Memorandums of appeals back to the appellant in all the appeals forthwith without any delay.

(x) The amounts, if any, deposited by the appellant in all the appeals are directed to be transmitted to the jurisdictional Reference Court.

Sd/-
(S.R. KRISHNA KUMAR)
JUDGE

Sd/-
(G BASAVARAJA)
JUDGE

Srl.