

IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH

DATED THIS THE 5TH DAY OF MARCH 2022

PRESENT

THE HON'BLE MR. JUSTICE K. SOMASHEKAR

AND

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

MFA NO.201885/2019 (LAC)

C/W

MFA NO.201877/2019, MFA NO.201878/2019,
MFA NO.201879/2019, MFA NO.201880/2019,
MFA NO.201881/2019, MFA NO.201882/2019,
MFA NO.201883/2019, MFA NO.201884/2019,
MFA NO.201886/2019, MFA NO.201887/2019,
MFA NO.201888/2019, MFA NO.201889/2019,
MFA NO.201904/2019, MFA NO.201905/2019,

MFA CROB NO.200014/2022,

MFA CROB NO.200015/2022,

MFA CROB NO.200016/2022,

MFA CROB NO.200017/2022,

MFA CROB NO.200018/2022,

MFA CROB NO.200019/2022,

MFA CROB NO.200020/2022,

MFA CROB NO.200021/2022,

MFA CROB NO.200022/2022,

MFA CROB NO.200023/2022,

MFA CROB NO.200024/2022,

MFA CROB NO.200025/2022,

MFA CROB NO.200026/2022,

MFA CROB NO.200027/2022

In MFA No.201885/2019**Between:**

The Executive Directorate,
 Uranium Corporation of India,
 Address: Plot No.37, Road No.3,
 Sunrise Homes, Upparpalli,
 Post: Hydergudda, R.R.District,
 Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Renukamma W/o Late Devindrappa,
 Age: Major, Occ: Agriculture,
 R/o. Ummardoddi, Tq: Shahapur,
 Dist: Yadgir.
2. The Assistant Commissioner &
 Land Acquisition Officer,
 Yadgir, Sub-Division, Yadgir.
3. The Deputy Commissioner,
 Yadgir at Yadgir.
4. The Scientific Officer,
 Atomic Minerals Directorate
 For Exploration and Research,
 Southern reason, # 2817 Gnana Bharati,
 Main Road, Teacher Colony,
 Opp: Law University,
 Nagarbhavi Bengaluru.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
 By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
 By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 08.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.24/2014 and consequently be pleased to dismiss the reference.

In MFA No.201877/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Bailappa S/o Bhimappa & Others,
Age: Major, Occ: Agriculture,
R/o. Ummardoddi, Tq: Shahapur,
Dist: Yadgir.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir.
3. The Deputy Commissioner,
Yadgir at Yadgir.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,

Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 19.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.17/2014 and consequently be pleased to dismiss the reference.

In MFA No.201878/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Iramma W/o Kareppa,
Age: Major, Occ: Agriculture,
R/o. Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.

3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region,
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 18.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.03/2014 and consequently be pleased to dismiss the reference.

In MFA No.201879/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise House, Upparpalli,
Post: Hydergudda, R.R. District,
Hyderabad. (A.P.)-500048.
Rep. by Chief Manager (Legal)

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

Chandappa by his LR's.

- 1a) Hanamantrayagouda
S/o Chandappagouda,
Age: Major, Occ: Agriculture,
- 1b) Somanna S/o Chandappagoud,
Age: Major, Occ: Agriculture,

Both are R/o Umardoddi,
Tq: Shahapur, Dist: Yadgir-585 202.
- 2) The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern reason # 2817
Gnana Bharati Main Road,
Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-72.
- 3) The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
- 4) The Deputy Commissioner,
Yadgir at Yadgir-585 202.

... Respondents

(By Sri. Ganesh Naik, Advocate for R1(a) and R1(b);
By Sri. Mallikarjun C.Basareddy, HCGP for R3 & R4;
By Sri.Sudhirsingh R.Vijapur, ASGI for R2)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 13.02.2019 passed by the learned Senior Civil Judge and JMFC at

Shahapur in L.A.C.No.07/2017 and consequently be pleased to dismiss the reference.

In MFA No.201880/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Mallamma & Neelamma D/o Hanamantraya,
Age: Major, Occ: Agriculture,
R/o. Ummardoddi, Tq: Shahapur,
Dist: Yadgir.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;

By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 24.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.09/2014 and consequently be pleased to dismiss the reference.

In MFA No.201881/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Manappa S/o Bhomanna Adimani,
Age: Major, Occ: Agriculture,
R/o. Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,

Southern reason
 # 2817 Gnana Bharati,
 Main Road, Teacher Colony,
 Opp: Law University,
 Nagarbhavi Bengaluru.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
 By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
 By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 25.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.12/2014 and consequently be pleased to dismiss the reference.

In MFA No.201882/2019

Between:

The Executive Directorate,
 Uranium Corporation of India,
 Address: Plot No.37, Road No.3,
 Sunrise Homes, Upparpalli,
 Post: Hydergudda, R.R.District,
 Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

Laxmi by her LR's.

1. Laxmamma @ Laxmi W/o Late Sopanna,
 Age: 55 Years, Occ: Household,

2. Tippanna S/o Late Sopanna,
Age: 32 Years, Occ: Private work,
3. Bhimaraya S/o Late Sopanna,
Age: 26 Years, Occ: Private work,
4. Srikant S/o Late Sopanna,
Age: 23 Years, Occ: Private work,
5. Yallamma D/o Late Sopanna,
Age: 21 Years, Occ: Household,

All are R/o Ummardoddi,
Tq: Shahapur, Dist: Yadgir-585 202.

6. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir.
7. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
8. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1 to R5;
By Sri. Mallikarjun C.Basareddy, HCGP for R6 & R7;
By Sri.Sudhirsingh Vijapur, ASGI for R8)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to

set aside the judgment and award dated 29.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.14/2014 and consequently be pleased to dismiss the reference.

In MFA No.201883/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Chandamma W/o Chandappa,
Age: Major, Occ: Agriculture,
R/o Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,

Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 05.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.16/2014 and consequently be pleased to dismiss the reference.

In MFA No.201884/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Vithal S/o Amalappa Talavar,
Age: Major, Occ: Agriculture,
R/o Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.

3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 28.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.19/2014 and consequently be pleased to dismiss the reference.

In MFA No.201886/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Ravikrishna S/o Irangouda Ummardoddi,
Age: Major, Occ: Agriculture,
R/o Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Mallikarjun C.Basareddy, HCGP for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 30.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.27/2014 and consequently be pleased to dismiss the reference.

In MFA No.201887/2019**Between:**

The Executive Directorate,
 Uranium Corporation of India,
 Address: Plot No.37, Road No.3,
 Sunrise Homes, Upparpalli,
 Post: Hydergudda, R.R.District,
 Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Bhimappa S/o Jatteppa Ummardoddi,
 Age: Major, Occ: Agriculture,
 R/o Ummardoddi, Tq: Shahapur,
 Dist: Yadgir-585 202.
2. The Assistant Commissioner &
 Land Acquisition Officer,
 Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
 Yadgir at Yadgir-585 202.
4. The Scientific Officer,
 Atomic Minerals Directorate
 For Exploration and research,
 Southern reason
 # 2817 Gnana Bharati,
 Main Road, Teacher Colony,
 Opp: Law University,
 Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
 By Sri. Viranagouda Biradar, AGA for R2 & R3;
 By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 05.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.28/2014 and consequently be pleased to dismiss the reference.

In MFA No.201888/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

Sahebgouda by his LR's.

1. Maremma W/o Sahebgouda,
Age: 70 Years, Occ: Household,
2. Bhimaraya S/o Sahebgouda,
Age: 47 Years, Occ: Private Work,
3. Sharanappa S/o Sahebgouda,
Age: 40 Years, Occ: Private Work,
4. Anand S/o Sahebgouda,
Age: 37 Years, Occ: Private Work,
5. The Assistant Commissioner &
Land Acquisition Officer,

Yadgir, Sub-Division, Yadgir-585 202.

6. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
7. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1 to R4;
By Sri. Viranagouda Biradar, AGA for R5 & R6;
By Sri.Sudhirsingh R.Vijapur, ASGI for R7)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 16.01.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.29/2014 and consequently be pleased to dismiss the reference.

In MFA No.201889/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Chandappa S/o Nagappa,
Age: Major, Occ: Agriculture,
R/o Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Viranagouda Biradar, AGA for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 06.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.33/2014 and consequently be pleased to dismiss the reference.

In MFA No.201904/2019**Between:**

The Executive Directorate,
 Uranium Corporation of India,
 Address: Plot No.37, Road No.3,
 Sunrise Homes, Upparpalli,
 Post: Hydergudda, R.R.District,
 Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Ninganna S/o Sharanappa Pyati,
 Age: Major, Occ: Agriculture,
 R/o Ummardoddi, Tq: Shahapur,
 Dist: Yadgir-585 202.
2. The Assistant Commissioner &
 Land Acquisition Officer,
 Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
 Yadgir at Yadgir-585 202.
4. The Scientific Officer,
 Atomic Minerals Directorate
 For Exploration and research,
 Southern reason
 # 2817 Gnana Bharati,
 Main Road, Teacher Colony,
 Opp: Law University,
 Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
 By Sri. Viranagouda Biradar, AGA for R2 & R3;
 By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 27.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.4/2018 and consequently be pleased to dismiss the reference.

In MFA No.201905/2019

Between:

The Executive Directorate,
Uranium Corporation of India,
Address: Plot No.37, Road No.3,
Sunrise Homes, Upparpalli,
Post: Hydergudda, R.R.District,
Hyderabad. (A.P.)-500048.

... Appellant

(By Sri.Chaitanyakumar Chandriki, Advocate)

And:

1. Devindrappa S/o Sharanappa Pyati,
Age: Major, Occ: Agriculture,
R/o Ummardoddi, Tq: Shahapur,
Dist: Yadgir-585 202.
2. The Assistant Commissioner &
Land Acquisition Officer,
Yadgir, Sub-Division, Yadgir-585 202.
3. The Deputy Commissioner,
Yadgir at Yadgir-585 202.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and research,
Southern region
2817 Gnana Bharati,

Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

(By Smt. Y.Yallamma @ Arundati, Advocate for R1;
By Sri. Viranagouda Biradar, HCGP for R2 & R3;
By Sri.Sudhirsingh R.Vijapur, ASGI for R4)

This Miscellaneous First Appeal is filed under Section 54(1) of the Land Acquisition Act, praying to allow the above Misc. First Appeal and consequently be pleased to set aside the judgment and award dated 27.02.2019 passed by the learned Senior Civil Judge and JMFC at Shahapur in L.A.C.No.5/2018 and consequently be pleased to dismiss the reference.

In MFA CROB No.200014/2022

Between:

Ravikrishna S/o Veeranagouda,
Age: 45 years, Occ: Agriculture,
R/o Ummardoddi village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt.Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir at Yadgir-585 202.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,

Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.

4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 30.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.27/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200015/2022

Between:

Vithal S/o Amalappa Talwar,
Age: 65 years, Occ: Agriculture,
R/o Diggi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner & Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir at Yadgir
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 28.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.19/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200016/2022**Between:**

Iramma S/o Sharanappa Pyati,
 Age: 60 years, Occ: Agriculture,
 R/o Diggi Village,
 Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir at Yadgir
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of
 CPC, praying to call for the records and to modify the
 judgment and award dated 18.01.2019 passed by the

Senior Civil Judge and JMFC, Shahapur in LAC No.3/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200017/2022

Between:

Laxmi @ Lachamma W/o Late Sopanna died, her LRs.

1. Lachamma @ Laxmi W/o Sopanna,
Age: 57 Years,
2. Tippanna S/o Late Sopanna,
Age: 31 Years,
3. Bhimaraya S/o Late Sopanna,
Age: 25 Years,
4. Shrikant S/o Late Sopanna,
Age: 22 Years,
5. Yallamma D/o Late Sopanna,
Age: 20 Years,

All Occ: House-hold & Private Work,
R/o Ummardoddi village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objectors

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.

2. The Deputy Commissioner,
Yadagir at Yadgir
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 29.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.27/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200018/2022

Between:

Bhimappa S/o Jatteppa Ummardoddi,
Age: 45 Years, Occ: Agriculture,
R/o Ummardoddi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y. Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner & Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 19.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.28/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200019/2022**Between:**

Manappa S/o Bhumanna Adimani,
Age: 55 Years, Occ: Agriculture,
R/o Diggi Village, Tq. Shahapur,
Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region,
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 05.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.10/2014 and granted ₹10,00,000/- per acre and same is to be

enhanced from ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200020/2022

Between:

Ninganna S/o Sharanappa Pyati,
Age: 65 Years, Occ: Agriculture,
R/o Diggi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, Distrcit Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,

Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 27.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.4/2018 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200021/2022

Between:

Sahebgouda by his LR's,

1. Maremma W/o Sahebgouda,
Age: 75 Years, Occ: Household,
2. Bhimaraya S/o Sahebgouda,
Age: 52 Years, Occ: Private Work,
3. Sharanappa S/o Sahebgouda,
Age: 45 Years, Occ: Private Work,
4. Anand S/o Sahebgouda,
Age: 37 Years, Occ: Private Work,

R/o Umardoddi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objectors

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner & Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 16.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.29/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200022/2022**Between:**

Bailappa S/o Bhimappa,
Age: 68 Years, Occ: Agriculture,
R/o Diggi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 19.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.17/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200023/2022

Between:

Devindrappa S/o Sharanappa Pyati,
Age: 53 Years, Occ: Agriculture,
R/o Diggi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,

Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Section 54(1) of the Land Acquisition Act, praying to call for the records and to modify the judgment and award dated 27.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.5/2018 and re-determine the market value with all statutory benefits and to pass such Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200024/2022

Between:

Mallamma & Neelamma D/o Hanamantraya,
Age: 65 Years, Occ: Agriculture,
R/o Umardoddi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.

3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 24.01.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.9/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200025/2022

Between:

Chandamma W/o Chandappa,
Age: 60 Years, Occ: Housewife,
R/o Umardoddi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner & Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru-560 072.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 05.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.16/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200026/2022**Between:**

Renukamma W/o Late Devendrappa,
 Age: 45 Years, Occ: Agriculture,
 R/o Umardoddi Village,
 Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,
Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 05.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.24/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all

statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

In MFA CROB No.200027/2022

Between:

Chandappa S/o Nagappa,
Age: 67 Years, Occ: Agriculture,
R/o Umardoddi Village,
Tq. Shahapur, Dist. Yadagir.

... Cross Objector

(By Smt. Y.Yallamma @ Arundati, Advocate)

And:

1. The Assistant Commissioner &
Land Acquisition Officer,
Yadagir, Sub-Division, Yadgir.
2. The Deputy Commissioner,
Yadagir, District Yadgir.
3. The Executive Engineer,
UCIL, Plot No.37, Road No.3,
Sunrise House, Upparpally P.O.
Hyderguda (R.R.),
Rangareddy, Dist. Hyderabad.
4. The Scientific Officer,
Atomic Minerals Directorate
For Exploration and Research,
Southern region
2817 Gnana Bharati,
Main Road, Teacher Colony,

Opp: Law University,
Nagarbhavi Bengaluru.

... Respondents

This MFA CROB is filed under Order 41 Rule 22 of CPC, praying to call for the records and to modify the judgment and award dated 06.02.2019 passed by the Senior Civil Judge and JMFC, Shahapur in LAC No.33/2014 and granted ₹10,00,000/- to ₹45,00,000/- per acre with all statutory benefits the market value with all benefits and to pass such other Order or Orders as this Hon'ble Court deems fit under the facts and circumstances of the case, including the costs, in the interest of justice and equity.

These appeals along with MFA Crobs, coming on for further Hearing this day, **Anant Ramanath Hegde J.**, delivered the following :

JUDGMENT

The above miscellaneous first appeals are filed invoking Section 54(1) Land Acquisition Act impugning the judgments and awards passed in LAC No.24/2014 dated 08.02.2019, LAC No.17/2014 dated 19.01.2019, LAC No.3/2014 dated 08.01.2019, LAC No.7/2017 dated 13.02.2019, LAC No.9/2014 dated 24.01.2019, LAC No.12/2014 dated 25.01.2019, LAC No.14/2014 dated 29.01.2019, LAC No.16/2014 dated 05.02.2019, LAC No.19/2014 dated 28.01.2019, LAC

No.27/2014 dated 30.01.2019, LAC No.28/2014 dated 05.02.2019, LAC No.29/2014 dated 16.01.2019, LAC No.33/2014 dated 06.02.2019, LAC No.4/2018 dated 27.02.2019 and LAC No.5/2018 dated 27.02.2019 by the court of Senior Civil Judge and JMFC, Shahapur.

2. During the course of hearing, it is brought to the notice of this court that in SLP (Civil) No.8976/2020 vide order dated 06.09.2021, the Hon'ble Apex Court has directed the appellants to deposit a sum of ₹6,00,000/- before this court and a direction was also issued to dispose of the appeals preferably within six months. In the light of the aforesaid order and with the consent of the parties, the appeals are taken up for final disposal.

3. Lands belonging to the first respondent in the above-said appeals are acquired in terms of the notification under Section 4(1) of the Land Acquisition Act. The Special Land Acquisition Officer awarded

compensation of ₹57,000/- per acre. On reference by the claimants, the same is enhanced to ₹10,00,000/- per acre. Being aggrieved by the said enhancement, Uranium Corporation of India is in appeal.

4. The appellants primarily filed the appeal on the premise that it is not the beneficiary. Appellants have also applied under Order I Rule 10 of the Code of Civil Procedure to implead another entity which according to them is the beneficiary. The said application for impleading is allowed and in terms of the order passed by this court, the fourth respondent is impleaded.

5. The fourth respondent is represented by Sri Sudhirsing Vijapur the learned Additional Solicitor General of India (for short, 'the ASGI'). The ASGI on instruction has filed a memo stating that the fourth respondent is the real beneficiary of the land acquisition. It is also stated in the memo that the

fourth respondent is ready to comply with any order or direction to be passed in these matters. The said memo dated 05.03.2022 is placed on record.

6. The first respondent/claimant in all the appeals except M.F.A. No.201879/2019 is represented by learned counsel Smt.Yellamma Y. In M.F.A. No.201879/2019 Shri Ganesh Naik represents No.1(a) & (b) the claimants.

7. Heard the learned counsel for the appellants as well as the learned ASGI, HCGP, AGA and the counsel for the respective respondents.

8. The learned counsel for the appellants would submit that the present appellant is not the beneficiary and the fourth respondent in these appeals is the beneficiary and compensation is to be paid by the fourth respondent and not the appellants. Secondly, it is also urged that award of ₹10,00,000/-

per acre as the compensation for the land acquired is on the higher side.

9. It is also submitted by the learned counsel for the appellant that in terms of the order dated 21.02.2022 passed in MFA No.200319/2021 clubbed with other cases referred therein; this court has allowed the appeals filed by the State and Uranium Corporation of India and remitted the matter to the Reference Court for afresh adjudication. In the said order the Co-Ordinate Bench of this Court has given certain directions. The appeals are allowed primarily on the premise that the appellant in that appeal is not given sufficient opportunity to defend the claim petition seeking enhancement of compensation.

10. This Court has perused the said judgment passed by the Co-ordinate Bench of this Court as well as the judgment and award passed by the Reference Court.

11. The learned counsel for the parties fairly submit that the lands in question in these appeals and the lands in question in the appeals MFA No.200319/2021 and other clubbed cases decided on 21.02.2022, are acquired under the same notification. Since the Co-ordinate Bench of this Court has allowed the appeals for re-determining the compensation by setting aside the judgment and award passed by the Reference Court, this Court is of the considered opinion that these appeals are to be allowed and judgment and award under appeals are to be set aside and the matter has to be remitted to the Reference Court for afresh adjudication, by giving an opportunity for both the parties to lead evidence.

12. The fact that the fourth respondent in these appeals is impleaded as a party to the proceedings in terms of the order passed by this Court, is yet another reason to allow the appeals as

the fourth respondent who was not made party before reference court who is said to be the actual beneficiary should be allowed to defend the claim petition seeking enhancement of compensation. Since the fourth respondent is impleaded in these appeals, the petitioner before the reference court is also directed to implead the fourth respondent in the Reference Court as the fourth respondent.

13. During the course of hearing, it is also brought to the notice of this court that 25% of the compensation amount along with accrued interest was deposited in the appeals disposed of on 21.02.2022 as stated supra. While remitting the matter the Co-Ordinate Bench of this Court in terms of the order dated 21.02.2022 has directed the appellants of those appeals to deposit an additional 25% of the award amount together with all statutory benefits and

interest. The said direction was made based on the undertaking given by the appellant in those appeals.

14. In this case the learned ASGI on instruction submits that the fourth respondent will deposit 50% of the award amount along with all statutory benefits before the Reference Court within 30 days from the date of receipt of a certified copy of this judgment.

15. Since the claimants in cases that were disposed of on 21.02.2022 were permitted to withdraw the amount deposited, the same benefit should also be extended to the claimants in these appeals.

16. It is made clear that this court has not expressed any opinion on the merits of the matter and no opinion is expressed as to who is the beneficiary of the acquisition and all questions including the market

value of the land acquired are left open for determination by the Reference Court.

17. Insofar as the MFA Cross objections are concerned, it is submitted by the cross objectors that land losers have filed the cross-objections seeking enhancement of compensation challenging the judgment and award passed by the Reference Court. Since this court following the judgment dated 21.02.2022 in a batch of MFAs referred above, has allowed the appeals and remanded the matters for afresh consideration, these cross-objections do not survive for consideration and without going into the merits of the cross-objections same are dismissed.

18. However, it is made clear that since the claim petitions are remitted back to the Reference Court for afresh adjudication, the right of the cross-objector to seek enhancement of the compensation is

not taken away and same shall be decided in accordance with law.

19. However, the Reference Court shall decide the reference petitions seeking enhancement of the compensation on merits without being influenced by the dismissal of these cross-objections. It is also noticed that the cross-objectors have not paid the court fee and as such, there is no question of refund of court fee to the cross objectors

20. Hence, we pass the following :

ORDER

- i. MFA Nos.201885/2019, 201877/2019, 201878/2019, 201879/2019, 201880/2019, 201881/2019, 201882/2019, 201883/2019, 201884/2019, 201886/2019, 201887/2019, 201888/2019, 201889/2019, 201904/2019, 201905/2019 are allowed in part.
- ii. MFA Cross Objection Nos.200014/2022, 200015/2022, 200016/2022, 200017/2022,

200018/2022, 200019/2022, 200020/2022, 200021/2022, 200022/2022, 200023/2022, 200024/2022, 200025/2022, 200026/2022, 200027/2022 are dismissed.

- iii. The impugned judgments and awards passed by the Reference Court are hereby set aside.
- iv. The matters are remitted back to the Reference Court for reconsideration afresh in accordance with law.
- v. Liberty is reserved in favour of all parties to adduce evidence/additional evidence in support of their contentions including cross-examining the other side and their witnesses.
- vi. The parties undertake to appear before the Reference Court on 14.03.2022 without awaiting further notice from the Court.
- vii. In the order dated 21.02.2022 passed in MFA No.200319/2021 and other clubbed cases, there is a direction to conclude the proceedings on or before 31.06.2022. The

petitions before the Reference Court involved in these appeals and cross-objections shall be decided on or before 31.07.2022.

- viii. The fourth respondent shall deposit 50% of the award amount with statutory benefits and interest in terms of award dated 08.02.2019 within thirty days from the date of receipt of a certified copy of this judgment before the Reference Court.
- ix. The claimants before the Reference Court are entitled to withdraw the amount so deposited in respect of their respective lands. The amount shall be released in favour of the claimants by the Reference Court on proper identification.
- x. It is also made clear that the order for the release of the amount in favour of the claimants should not be treated as a finding/indication relating to the market value of the lands acquired. The Reference Court shall determine the market value of the lands acquired based on the evidence

available on record without being influenced by any of the observations made in these appeals relating to the release of the amount ordered as aforesaid.

- xi. In case the compensation determined by the reference court is less than 50% of the amount ordered to be released in favour of the claimant such excess amount received by the respective claimant shall be deposited by the claimant before the reference court within 30 days from the judgment in the reference court. Such excess amount so deposited shall be released in favour of the beneficiary. In default, the claimants shall pay interest @6% p.a. on the said amount payable by them from the date of judgment of the reference court till the date of actual payment.
- xii. The amount deposited by the appellant in these appeals shall be released in favour of the appellant on proper identification.

xiii. Registry shall release the amount deposited by the appellant in favour of the appellants on proper identification.

xiv. Refund admissible court fee in favour of the appellants.

In view of the disposal of the aforesaid MFAs, pending interlocutory applications do not survive for consideration and accordingly disposed of.

In MFA No.201881/2019, 201884/2019 and 201905/2019 the learned High Court Government Pleader is directed to take notice to the respective respondents.

Copy of the judgment shall be placed in all the appeals and MFA cross-objections.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

sn