

The Chief Engineer and Anr vs Mallinath and Ors

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Court : Karnataka Orders

Decided On : Mar-28-2025

Judge : Anant Ramanath Hegde

Appeal No. : MSA/200699/2023

Appellant : The Chief Engineer and Anr

Respondent : Mallinath and Ors

Judgement :

-1- IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH DATED THIS THE 28TH DAY OF MARCH, 2025 BEFORE THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE MISCL SECOND APPEAL NO. 200699 OF 2023 (LA) BETWEEN:

1. THE CHIEF ENGINEER KNNL IPC ZONE, KALABURAGI - 585 102.

2. THE EXECUTIVE ENGINEER, KNNL, DIVISION BLI PROJECT, AFZALPUR - 585 301. APPELLANTS (BY SRI SUDARSHAN M, ADVOCATE) AND:

1. MALLINATH

Digitally signed by BASALINGAPPA S/O NEELAPPA AMBIGAR, SHIVARAJ AGE: 40 YEARS,OCC: AGRICULTURE, DHUTTARGAON Location: HIGH R/O:

UDCHAN VILLAGE, COURT OF TQ: AFZALPUR,DIST: KALABURAGI - 585 301.
KARNATAKA

2. THE SPECIAL LAND ACQUISITION OFFICER, M AND MIP VIKAS BHAVAN,
KALABURAGI.

3. THE DEPUTY COMMISSIONER VIKAS BHAVAN, KALABURAGI - 585 102.
RESPONDENTS THIS MISCELLANEOUS SECOND APPEAL IS FILED UNDER
SECTION 54(2) OF THE LAND ACQUISITION ACT, CALL FOR -2-

THE RECORDS FROM BOTH THE COURTS BELOW IN L.A.C.A.NO.189/2021
AND L.A.C.NO.765/2012 AND SET ASIDE THE IMPUGNED JUDGMENT AND
AWARD DATED 22.10.2021 PASSED IN LACA NO.189/2021 BY THE HONBLE
III ADDITIONAL DISTRICT JUDGE AT KALABURAGI, IN THE INTEREST OF
JUSTICE AND EQUITY. THIS MISCELLANEOUS SECOND APPEAL, COMING
ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS
UNDER: CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE) More than two
years have elapsed since the appeal is filed. Deficit Court Fee is not paid. Hence,
appeal is dismissed for non-prosecution. Sd/- (ANANT RAMANATH HEGDE)
JUDGE BRN List No.: 1 SI No.: 19

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