

The Executive Engineer vs Shri Ganapati Shankar Inamadar Patil

The Executive Engineer vs Shri Ganapati Shankar Inamadar Patil

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Court : Karnataka Dharwad

Decided On : Oct-30-2024

Judge : H.T.Narendra Prasad,Venkatesh Naik T

Appeal No. : MFA/102647/2023

Appellant : The Executive Engineer

Respondent : Shri Ganapati Shankar Inamadar Patil

Judgement :

-1- 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 MISCELLANEOUS FIRST APPEAL NO. 102647 OF 2023 (LAC) BETWEEN: THE EXECUTIVE ENGINEER KARNATAKA NEERAVARI NIGAM LTD., HBC., ATHANI, DIST. BELAGAVI 597317 APPELLANT (BY SRI. M.B.KANAVI, ADV.) AND: Digitally signed

1. SHRI GANAPATI SHANKAR INAMADAR PATIL

by MANJANNA E AGE 46 YEARS, OCC. AGRICULTURIST Location: HIGH R/O MANGASULI VILLAGE, TQ. ATHANI, COURT OF KARNATAKA DIST. BELAGAVI 591234 DHARWAD BENCH Date: 2024.11.07 2. SHRI SHRIPATI SHANKAR INAMADAR PATIL 11:07:49 +0530 AGE 45 YEARS, OCC.

AGRICULTURIST

3. SHRI APPASAHEB SHANKAR INAMADAR PATIL AGE 42 YEARS, OCC. AGRICULTURIST

4. SHRI NANASAHEB SHANKAR INAMADAR PATIL -2-

5. SHRI NANDAKUMAR SHANKAR INAMADAR PATIL

6. THE SPECIAL LAND ACQUISITION OFFICER HBC ATHANI BELAGAVI 597317 RESPONDENTS (BY SRI. PRAVEEN K. UPPAR, AGA FOR R6) 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 DATED 23.04.2021 PASSED IN

LAC.NO.426/2019 ON THE FILE OF THE I ADDITIONAL DISTRICT JUDGE, BELAGAVI, AND THE LAND ACQUISITION, REHABILITATION AND RESETTLEMENT AUTHORITY, BELAGAVI, AWARDING COMPENSATION OF RS. 5,42,426/- PER ACRE. THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, THE COURT DELIVERED THE FOLLOWING: CORAM: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD AND -3-

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD) Learned AGA accepts notice for respondent No.6.

2. This appeal is filed by the beneficiary of acquisition 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 23.04.2021 and 24.05.2021 respectively passed in L.A.C. No.426/2019 by the learned I Addl. District Judge, Belagavi and the Land Acquisition,

Rehabilitation and Resettlement Authority, Belagavi, whereby the Reference Court fixed market value of the acquired land at the rate of Rs.5,42,426/- per acre.

3. There is a delay of 388 days in filing the appeal, which is beyond the statutory permissible limit under the provisions of the Act.

4. In view of the judgment of co-ordinate Bench of this Court in M.F.A. No.102543/2022, disposed off on 23.09.2024, the present appeal is not maintainable. -4-

5. Accordingly, this appeal is dismissed in terms of

judgment of this Court in M.F.A. No.102543/2022, dated

23.09.2024. (H.T.NARENDRA PRASAD) (VENKATESH NAIK T) RSH LIST NO.: 3
SL NO.: 1

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