

Karnataka High Court

Manik S/O Saibanna vs Spl Land Acquisition Officer on 18 August, 2008

Author: K.Sreedhar Rao Gowda

IN THE HIGH COURT OF KARNATAKA

CIRCUIT BENCH AT GULBARGA

DATED THIS THE 13TH DAY 07 AUGUST 2008

PRESENT

THE HONBLE MR. JUSTICE V.K. SREEHAR HAR 12.08.2008

AND

THE HON'BLE MR. JUSTICE M. F. A. N. :E 13. 08.2008  
M.F.A.N().

BETWEEN:

1. Manik  
Gee: Agriculturist.

2. Raghavendriza, 9 ' ' V.

Bot. L. amR, o

Dismal 302. APPELLANTS

(BY 3:01 HARSH VARDHAN R. MALIFATIL, ADVOCATE)

'-- \* Sp}; Acquisition Officer,  
" Q' Mf's 'MiP, ~Roon1 No.2},  
5 man' axaa Soudha,  
T Qutbazga --- 585 102. RESPONDENT

(BY SR1 JAGADEESH MUNBARGAL AGA) 1 Cg/..

THIS M.F.A. FILED U/S. 54(1) of LARD ACQUISITION ACT, 1954, PRAYING TO  
ALLOW THIS APPEAL WITH COSTS TO BE AWARDED TO THE APPELLANT AND AWARD  
PASSE; 3\* ". 11% "f~.. 'fP\$::f:3 CIVIL JUDGE (SR.DN.), ALANE) DATEE\$;\$.t\$1'.2Ga\_5-: No.33 OF'  
2003 AND FIX MARKET LVA1.\$:iE'T Fd pf LAHI3 ACQUIREI} IN SY.NO.629 o?  
ALA1vi)\*4'9\$eoPxER"AT fl'i%1 \$: ore RS.1,00,000/~ PER ACRE TO AN EXT'E\_N'I?' :3? 'Aci«:Es 21  
GUNTAS op' irrigated' ..\_\_LAN,£')"" LAAi\$:'I;\$""FA..1AwA1é'i:) "ALL STATUTORY BENEFITS. %  
% "

This M.F.A. on 18.08.2008, SREEDHAR RAG, J., for the purpose  
of Amajja has held that the land of gay h1v avj1<i';"" The ROR extract at Ex.P'7 is the year 1991 the  
sugarcane, j-c-war The land is shown as Wet land.

"-r1f1;;e'fzfz~1a1 ciozxx□aices the View that the ROE' is issued in the c 3ré\$a;;. 1'}96:«..Th<\$mfo1c, that the land to be considered as 6137 taken by the 'Tria1 Court is illegal although ' iséucd in the year 1996 and the crultriva□xn, particulars fm.'ui.hc year 1990~91 are shown that the land is a wet land.

2. The Reference Court has awarded compensatiern of Rs.36,99{}/- per acre. This Court in M.F.A. No. 8964/ 2605 in respect of acquisition for that same under same notification is heid that the value for A' land is to be assessed at Rs.1.€)o lakh per acne. I1; also the claimants are entitled to the c\$□i13\_§□\$é□On'A \_ rate: of Rs. 1,€){},o{o}/ - per acre with 311 stafiitéizz bcñ□□□ " " V Accordingly, the appeal is □ith Sri. J;-egiagijiemiig. Miii;da\$g~.=,;'1e.az\$ijéd"}\$GA is permitted to file Memo of :\$=çiihi:1:'isv\$>V..months. Stil-

Judge 3d/-} Iudg:é'