

Award in LAC. cases.

Govt.of Karnataka.

**IN THE COURT OF THE SENIOR CIVIL JUDGE & MAMACT.
AT TARIKERE.**

LAC.No. 19/2013

PETITIONER: B.H.Lokeshappa S/o Holeyappa,
aged about 46 years, Agriculturist,
R/o Bettathavarekere Village,
Ajjampura Hobli, Tarikere Taluk.

(By Sri.B.P.Rajashekar, Advocate)

- Vs -

RESPONDENTS: 1. Assistant Commissioner/Land
Acquisition Officer, Upper Bhadra
Project, Tarikere.
2. Assistant Executive Engineer, Upper
Bhadra Project, Tarikere.

**(Respondent No.1 by Addl. Govt.
Pleader and Sri.K.M.Jayaram,
Advocate for respondent No.2).**

**CLAIM PETITION FILED ON 06-12-2013 U/Sec.18(1) of Land
Acquisition Act.**

CLAIM :-

The applicant require that the matter
be referred to the Senior Civil Judge
Court, Tarikere for the determination of
the compensation for enhancement, in
pursuance of the award in respect of

Sy.No.212/2P1 measuring 0-27 gunta
of Bettathavarekere Village, Ajjampura
Hobli, Tarikere Taluk award passed
dated 27-05-2013.

This reference coming on this 20th day of February
2021 for final disposal before Sri.M.C. Nanje Gowda,
B.A.L., LL.M. Senior Civil Judge Prl.JMFC at Tarikere in
the presence of Sri. B.P.Rajashekar, advocate for
Petitioner and Respondent No.1 by Addl. Govt. Pleader
and Sri.K.M.Jayaram, Advocate for respondent No.2.

After contest and by pronouncing judgment, it is
ordered and awarded that, the reference is partly
allowed and petitioner is not entitled for enhanced
compensation under section 23(1) of Land Acquisition Act
1894.

It is further ordered and awarded that however
petitioners is entitled for statutory benefit of additional
market value at the rate of 12% per annum as provided
under section 23(1-A) and solatium at the the rate of
30% as provided under section 23(2) and also interest at

the rate of 9% per annum from the date of taking possession of the land by the respondent No.1 and thereafter at the rate of 15% per annum from the date of expiry of a period of one year till the payment of entire compensation on the compensation awarded by the L.A.O as provided under section 28 of the land Acquisition Act, 1894.

After contest and by pronouncing judgment, it is ordered and awarded that, the petitioner is entitled for cost of as provided under sec.27 of land Acquisition Act, 1894.

It is further ordered and awarded that, the advocate fee is fixed at Rs.1000/-.

Sd/-

**SENIOR CIVIL JUDGE & PRL. JMFC.,
TARIKERE.**

MEMORANDUM OF CALCULATION

Sl. No	Particulars	Amount (Rs.)
1	Award passed by L.A.O	10,58,415-00
2	Solatum at 30%	3,17,524-00
	Total	13,75,939-00
3	9% interest from 28/11/2010 to 29/11/2011	1,23,835-00
4	12% interest from 28/11/2010 to 29/11/2011	1,65,112-00
5	9% interest from 29/11/2011 to 29/11/2012	1,23,835-00
6	15% p.a. from 29/11/2012 to 29/03/2021	1,71,898-00
	Total	35,07,702-00
7	Less amount Received	10,58,415-00
	Total	24,49,287-00

That the award with statutory benefits calculated at **Rs.24,49,287/-** (Rs. Twenty four lakhs forty nine thousand two eighty seven only) is payable by the respondents to the petitioner by way of enhanced compensation with interest till realization thereon. From the date of decree up to the date of deposit together with court costs as per memo of costs given below.

Given under my hand and the seal of this court, on
20th day of February 2021.

Sd/-

**SENIOR CIVIL JUDGE & PRL.JMFC.,
TARIKERE.**

Award Signed on: 10-03-2021.

Sd/-

**SENIOR CIVIL JUDGE & PRL.JMFC.,
TARIKERE.**

MEMORANDUM OF COST INCURRED IN THIS PETITION.

Sl. No	Particulars	By the petitioner	R-1	R-2
1	Court Fee for petition	-	-	-
2	Court Fee on vakalath	-	-	-
3	Advocate Fee (F.C. filed)	1000-00	-	-
4	Process Fee	12-00		
5	Copying Charges	14-00	-	-
	<u>Total</u>	1026-00	-	-

Sd/-

**SENIOR CIVIL JUDGE & PRL.JMFC.,
TARIKERE.**