

Learned counsel for claimant submits that the parties are not turning up to prosecute the case. It appears that the claimants are not interested to prosecute the case. Hence, the case is take up for disposal. The case is of the year 2018, looking into the age of the case, the case is takenup for disposal.

This Reference petition is filed under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (hereinafter referred as 'Act'), being aggrieved by

the award passed in LAQ/SR No.553/2011-12 dated 01.12.2015, for enhancement of compensation.

The brief facts of the case are as under: The Petitioner is the owner of the acquired land bearing Jmc 827/1 to 3 Rtc-827/1, 827/2A, 827/2B, 827/3 measuring to the extent of 1 Acre 10 Gunta situated at Telasang village. The said land has been acquired by the respondents for the purpose of construction of Hipparagi Project. The respondent No.1 has awarded the compensation of Rs.3,79,566/- per acre. Being dissatisfied with the quantum of compensation awarded by the respondent No.1, the land owner has submitted the reference seeking enhancement of compensation. The Claimant has contended that while determining the compensation, the respondent No.1 has not given proper opportunity of hearing. The respondents have awarded meager compensation to the acquired land without any basis. The Petitioner has further contended that he was growing various commercial crops in the acquired land. Due to acquisition of the land by the respondent Authorities, he has suffered huge loss. The acquired land is fertile land, without considering the fertility and income generated from the said land, the respondents have awarded meager compensation. With these contentions, the Claimant has prayed to enhance the compensation as prayed in the reference petition.

Upon service of the notice, the respondent Nos.1 and 2 have appeared and filed separate objections.

The respondent No.1 and 2 have stated in their objection that the reference filed under section 64 (1) and (2) of the Act is barred by limitation. Hence, the same is not maintainable. It is further contended that while passing the award, the respondent No.1 and 2 have followed all the procedures under the Act and conducted the enquiry properly. By considering all the materials arrived at proper conclusion and awarded the compensation as per the provisions of the Act. The respondent No.1 has given notice to the owner before passing the award. Before passing the award, he has not put-forth his claim before the respondent No.1 and 2. Therefore, the Claimant has no locus standi to file this application for enhancement of the compensation on any grounds. The respondent No.1 and 2 as further contended that while passing the award, the respondent No.1 has considered the sales statistics in the nearby vicinity area for the relevant period. Absolutely, there is no illegality in the amount of compensation fixed by the respondent No.1. With these objections, they prayed to dismiss the petition.

In view of the rival contentions raised by both sides, to consider the case of the claimant whether respondent No.1 has awarded the fair compensation the case was posted for evidence to enable the claimants to produce the materials to show that respondent No.1 has not awarded the fair compensation. In spite of providing sufficient opportunity the claimants have not chosen to lead evidence, which goes to show that the claimants are not interested to prosecute the case. Hence, an appropriate order needs to be passed in this case. Hence, the following:

ORDER

The reference made U/Sec. 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2003 along with the application filed by the claimants is hereby dismissed.

The award passed by the respondent No.1 is confirmed.

Dt:15.06.2026.

(Subhash Sankad)

**I Addl. District & Sessions Judge,
Belagavi.**