

**IN THE COURT OF I ADDITIONAL DISTRICT AND  
SESSIONS JUDGE AT KOPPAL (SIT AT GANGAVATHI)**

Dated this the 16<sup>th</sup> day of June 2026

Present : **SRI.VEDAMOORTHY B.S.,** B.A.(L.), LL.B.,  
I Addl. District & Sessions Judge, Koppal (Sit at Gangavathi)

**L.A.C.No.114/2024**

**APPLICANTS/CLAIMANTS** : Kariyappa & another.

V/s

**OPPONENTS** : The Land Acquisition  
Officer & others.

|      |                                                  |                                                                                                                                                                                 |
|------|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i.   | Provision under which the applications are filed | I.A.No.I - Order XXII<br>Rule 3 R/w Section 151 of the Code of the Civil Procedure.<br><br>I.A.No.II - Order XXII<br>Rule 9 R/w Section 151 of the Code of the Civil Procedure. |
| ii.  | Reliefs sought for                               | To permit the applicants to come on record as LR's of the deceased 1 <sup>st</sup> claimant by setting aside the order of abatement.                                            |
| iii. | The date on which the applications are filed     | 06.12.2025                                                                                                                                                                      |
| iv.  | Number of the applications                       | I.A.No.I and I.A.No.II                                                                                                                                                          |

|     |                                                                   |            |
|-----|-------------------------------------------------------------------|------------|
| v.  | The date on which the objections are filed by different opponents | 10.12.2025 |
| vi. | The date on which the orders were passed on the said applications | 16.06.2026 |

### **ORDERS ON I.A.No.I AND I.A.No.II**

The applicants have filed I.A.No.I under Order XXII Rule 3 R/w Section 151 of the Code of the Civil Procedure and I.A.No.II under Order XXII Rule 9 R/w Section 151 of the Code of the Civil Procedure seeking an order to permit them to come on record as LR's of the deceased 1<sup>st</sup> claimant by setting aside the order of abatement.

2. In support of the I.A.No.I and I.A.No.II, the 1<sup>st</sup> applicant Smt.Kanakamma has filed her affidavits and copies of the documents.

3. The learned District Government Pleader appearing for the opponents has filed objections to I.A.No.I and I.A.No.II praying to dismiss I.A.No.I and I.A.No.II.

4. Heard the arguments of the learned Counsel for the applicants and the learned District Government Pleader on

I.A.No.I and I.A.No.II. Perused the materials available on record.

5. The following point that has been arises for my consideration:

*Whether the applicants have shown sufficient reasons to permit them to come on record as LRs of the 1<sup>st</sup> claimant by setting aside the order of abatement? If so, what order?*

6. My answer to the above point is partly in the Affirmative for the following:

### **REASONS**

7. It appears from the records that on 02.03.2023, the claimants have filed the Reference Petition before the 1<sup>st</sup> respondent under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 seeking an order for reference of his petition before the competent Authority for adjudication. Vide Letter dated 10.03.2023, the 1<sup>st</sup> respondent referred the said petition before the

Hon'ble Principal District and Sessions Court, Koppal. On 09.09.2025, the 1<sup>st</sup> claimant died. Even after the death of the 1<sup>st</sup> claimant, the cause of survive to his LRs to proceed with the case. The applicants are claims to be the LRs of the 1<sup>st</sup> claimant. There is no dispute with regard to this.

8. After the death of the 1<sup>st</sup> claimant, the applicants have filed the application to permit them to come on record as LRs of the 1<sup>st</sup> claimant within 90 days from the date of his death. Therefore, I.A.No.II filed by the applicants does not survive for consideration.

9. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 is a social beneficial legislation. The main intention behind enactment of the said legislation is to give just and fair compensation to the owners of the lands whose lands were acquired for certain purposes. Keeping in view of the said intention of the legislation and the claim of the claimants, in the interest of justice, the applicants shall be

permitted to come on record as LR's of the 1<sup>st</sup> claimant. If not, the prejudice and injustice will be caused to the applicants as they will be prevented from getting just and fair compensation for the land acquired from the claimants. For the above reasons, the applicants have shown sufficient reasons to permit them to come on record as LR's of the deceased 1<sup>st</sup> claimant. Hence, I answer the above point partly in the Affirmative. In the result, I proceed to pass the following :

### **ORDERS**

I.A.No.I filed by the applicants under Order XXII Rule 3 R/w Section 151 of the Code of the Civil Procedure is hereby allowed.

The applicants are permitted to come on record as LR's of the deceased 1<sup>st</sup> claimant by carrying out necessary amendment to the cause title of the petition.

I.A.No.II filed by the applicants under  
Order XXII Rule 9 R/w Section 151 of the  
Code of the Civil Procedure is dismissed.

No order as to cost.

(Typed by me in the laptop, printout taken, corrected and  
then pronounced by me in the open court today on this the  
16<sup>th</sup> day of June 2026)

**(VEDAMOORTHY B.S.)**

I Addl. District & Sessions Judge, Koppal  
(Sit at Gangavathi)