

KAVP010001372019



Presented on : 04-01-2019

Registered on : 07-01-2019

Decided on : 13-08-2021

**IN THE COURT OF III ADDITIONAL DISTRICT
JUDGE AND ADDITIONAL LAND ACQUISITION,
REHABILITATION AND RESETTLEMENT
AUTHORITY, VIJAYAPURA**

Present :

Sri KARABARI RAVINDRA,

B.A.L., LL.B. (Spl.),

III Additional District Judge,
Vijayapura.

Dated this the 13th day of August, 2021

**L.A.C.No.11/2019, 3/2019, 5,2019
8/2019, 13/2019 & 17/2019.**

Claimant/Petitioner in LAC No.3/2019:

Kumar Siraj S/o. Shameer Mopagar,
M/G by Grandfather Allabax Mahaboobsab
Mopagar, R/o. Kaggod, Tq. & Dist: Vijayapura.

Claimant/Petitioner in LAC No.5/2019:

Basappa @ Basavaraj S/o. Ramappa @ Rayappa
Nimbal, R/o. Kaggod, Tq. & Dist: Vijayapura.

Claimant/Petitioner in LAC No.8/2019:

Rahul S/o. Neelamma Babaleshwar @ Harijan,
M/G by Mother Neelamma Harijan,

R/o. Kaggod, Tq. & Dist: Vijayapura.

Claimant/Petitioner in LAC No.11/2019:

Ningappa S/o. Irappa Banthanal,
R/o. Kaggod, Tq. & Dist: Vijayapura.

Claimants/Petitioners in LAC No.13/2019:

1. Ningappa S/o. Sidaramappa Awati,
2. Smt. Bouramma W/o. Channabasayya @
Channayya Hiremath,

Both are R/o. Kaggod,
Tq. & Dist: Vijayapura.

Claimant/Petitioner in LAC No.17/2019:

Ningappa S/o. Irappa Banthanal,
R/o. Kaggod, Tq. & Dist: Vijayapura.

(By Sri S.M.Choudhari, Advocate in all the
cases)

// Versus //

Common Respondent in all the cases:

The Special Land Acquisition Officer,
UKP, Almatti.

(By Sri B.B.Yadwad, Special
Government Counsel)

J U D G M E N T

1. All the claim petitions arise out of same
11(1) Notification. So, the LAC Nos.3/2019,
5/2019, 8/2019, 13/2019 and 17/2019 are

clubbed with LAC No.11/2019. The evidence recorded independently and subsequently clubbed.

2. The brief facts of LAC No.3/2019 are that the petitioner is the owner of land Sy.No.31 measuring 3 acres 4 guntas of village Kaggod. The petitioner has filed the Reference Application U/S.64(1) of New Amended Land Acquisition Act, 2013 in respect of land Sy.No.31 measuring 3 acres 4 guntas of village Kaggod. Further claims that the acquired land is an irrigated one with the help of River, Well, Bore-Well, Nala and Canal and fetching a net income of Rs.2,50,000/- per acre per annum. Out of total income 25% is spent for cost of production. So, the market value of acquired land was Rs.40,00,000/- per acre on the date of preliminary notification.

3. The brief facts of LAC-5/2019 are that the petitioner has filed the Reference Application U/S.64(1) of New Amended Land Acquisition Act,

2013 in respect of land Sy.No.172/1B measuring 1 acre 36 guntas of Kaggod village. The land consists of black rich soil and further claims that acquired land is an irrigated one income was Rs.2,50,000/- per acre per annum and requested to enhance the compensation @ Rs.40,00,000/- per acre.

4. The brief facts of LAC-8/2019 are that the petitioner has filed the Reference Application U/S.64(1) of New Amended Land Acquisition Act, 2013 in respect of land Sy.No.14/2C measuring 1 acre 16 guntas of village Kaggod. The land consists of black rich soil and further claims that acquired land is an irrigated one income was Rs.2,50,000/- per acre per annum and the market value of the acquired land was Rs.40,00,000/- per acre at the time of preliminary notification and requested to enhance the compensation.

5. The brief facts of LAC-11/2019 are that the petitioner has filed Reference Application

U/S.64(1) of New Amended Land Acquisition Act, 2013 with a request to enhance the compensation @ Rs.40,00,000/- per acre in respect of land Sy.No.29/1B/1, 29/1B/2 measuring 3 acres 18 guntas of village Kaggod. The land consists of black rich soil and further claims that acquired land is an irrigated one income was Rs.2,50,000/- per acre per annum.

6. The brief facts of LAC-13/2019 are that the petitioners have filed Reference Application U/S.64(1) of New Amended Land Acquisition Act, 2013 with a request to enhance the compensation @ Rs.40,00,000/- per acre in respect of land Sy.No.164/1, 164/2 measuring 5 acres 11 guntas of village Kaggod. The land consists of black rich soil and further claims that acquired land is an irrigated one income was Rs.2,50,000/- per acre per annum.

7. The brief facts of LAC-17/2019 are that the petitioner has filed Reference Application U/S.64(1) of New Amended Land Acquisition Act, 2013 with a request to enhance the compensation @ Rs.40,00,000/- per acre in respect of land Sy.No.29/1A+2A/1 measuring 2 acres 7 guntas of village Kaggod. The land consists of black rich soil and further claims that acquired land is an irrigated one income was Rs.2,50,000/- per acre per annum.

8. The common averments made in LAC No.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 & 17/2019 are as under:

The petitioners have filed the Reference Applications being aggrieved by the award passed by the LAO. The acquired lands are more fertile and they are raising crops like Jawar, Wheat, Kadali, Kushubi. So, the lands are situated to adjacent to the river and they are irrigated seasonally. So, they are getting two crops. So, they

have got more fertility. The LAO has awarded meager compensation and they are entitled for enhancement of compensation. So, requested to allow all the Reference Applications with a request to enhance the compensation as prayed in their separate applications with statutory benefits.

9. After service of notices in all the claim petitions, the common respondent in all the cases has appeared through the learned Special Government Counsel and filed separate objections in all the claim petitions and taken together.

10. The brief facts of the objections are that the Reference Petitions are not legally maintainable and they are barred by the law of limitation. Further denied the averments made in the Reference Petitions and they are not bonafide and not based on any materials. Further denied that the acquired lands are having irrigation facilities and raising two crops and also denied the NA

potentiality. The claim made by the petitioners are not legally maintainable and further contended that the petitioners have not suffered any loss, injury or damage due to the acquisition. The respondent has followed the provisions of the RFCTLARR Act and the award does not suffer from any infirmity or defect. Further contended that the acquired lands are inferior in quality and the yield and income claimed by the petitioners are denied in toto. Further contended that the award passed by the respondent is after following the provisions laid down U/S.26 of the RFCTLARR Act, 2013 by taking sale price of neighboring land. So, proper and reasonable market value is fixed. So, the applications are not legally maintainable and requested for rejection.

11. Heard both the sides.

12. The following points arise for my consideration are as under:

- 1) *Whether the petitioners prove that all the Reference Applications are within time?*
- 2) *Whether the petitioners prove that the LAO has awarded inadequate compensation?*
- 3) *Whether the petitioners prove that they are entitled for enhancement of compensation as prayed in their applications?*
- 4) *What award or order?*

13. In order to prove their claim, the petitioners have got marked Exs.P-1 to 16 and got examined 5 witnesses and side of petitioners evidence closed. All the witnesses treated as PWs-1 to 5. The respondent has got marked in all the claim petitions independently as Exs.R-1 to 3 independently with consent and side of respondents evidence closed.

14. My answer to the above points are as under:

Point No.1 : In the affirmative;

Point No.2 : In the affirmative;

Point No.3 : Partly in the affirmative;

Point No.4 : As per final order for the following reasons:

15. **Reasons on Point No.1:** The petitioners have filed the Reference Applications being aggrieved by the award passed by the respondent in file No.LAQ/SR/135/2015-16 dated 29.1.2018 and the notices were served to petitioners on 6.3.2018 and all the Reference Applications have been filed on 16.3.2018. The respondent has not produced any material to prove that the award notice is personally served to the petitioners. So, I am of the opinion that all the Reference Applications have been filed within time from the date of knowledge of award. I have perused Exs.P-1 to 16 and testimony of 5 witnesses and Exs.R-1 to 3 independently. So, I am of the opinion that all the Reference Applications have been filed within time from the date of service of notice. So, burden of proof lies upon the respondent to prove the petitions are time barred one. So, neither the

respondent entered the witness box nor produced any documentary evidence to prove the facts that the award notice along with award served to the petitioners personally. So, by considering the facts and circumstances, I am of the opinion that all the Reference Applications are within time from the date of service of notice. In view of the above said reasons, this Court held point No.1 in the affirmative.

16. **Reasons on Points No.2 & 3:** The Points No.2 & 3 are inter-linked with each other and tried together. Now, the petitioners have filed Reference Applications being aggrieved by the award passed by the LAO. The LAO has awarded compensation of Rs.1,35,800/- per acre in respect of dry land and Rs.1,48,000/- in respect of irrigated land. The LAO has awarded the compensation on the basis of sale statics. Now, the petitioners are seeking enhancement of compensation in respect of acquired lands. The petitioners claim that they are

entitled for enhancement of compensation. The petitioners have got marked Exs.P-1 to 16. Ex.P-1 is the Reference Application in LAC No.11/2019; Ex.P-2 is the Reference Application in LAC No.17/2019; Ex.P-13 is the Reference Application in LAC No.3/2019; Ex.P-14 is the Reference Application in LAC No.5/2019; Ex.P-15 is the Reference Application in LAC No.8/2019 and Ex.P-16 is the Reference Application in LAC No.13/2019. So, all the Reference Applications are within time from the date of knowledge of award. Ex.P-3 is the certified copy of Gazette. The petitioners have produced the Gazette of State of Government dated 12.7.2007 pertaining to Aliyabad, Madhabavi and Burnapur. By relying the Gazette, the petitioners tried to establish that their lands having NA potentiality and they are near to the Vijayapura City. So, I am of the opinion that Ex.P-3 is not corroborated by any documentary evidence to prove that the acquired lands are adjacent to Vijayapura.

So, Ex.P-3 is not helpful to the petitioners to prove that the acquired lands are near to the urban area. Ex.P-4 is the payment voucher pertaining to the village Aliyabad, Madhabavi and Burnapur. Ex.P-5 is the certified copy of sale deed in respect of land Sy.No.171/2 totally measuring 16 acres to the extent of 2 acres 18 guntas sold for Rs.22,05,000/-. The land situated at Kaggod village and the date of sale deed is 22.3.2016. So, I am of the opinion that the acquired lands are also situated in Kaggod village. So, the 2 acres 18 guntas sold for Rs.22,05,000/-. So, I am of the opinion that the price of 1 acre is Rs.9,00,000/-. As per Ex.P-5 the dry land is sold for Rs.9,00,000/- per acre. The acquired lands are situated in Kaggod and land sold in Ex.P-5 are also situated in Kaggod and in Ex.P-5 shown the amount is paid through D.D. So, Ex.P-5 is the genuine transaction. The date of sale deed is 22.3.2016 and the 11(1) Notification of these cases

is 2.5.2016. So, Ex.P-5 is prior to the preliminary notification. Ex.P-6 is the certified copy of sale deed dated 16.9.2013 in respect of Sy.No.233 measuring 10 guntas was sold for Rs.2,62,000/-. So, Ex.P-6 is not reliable to prove the market value of acquired lands on the date of preliminary notification. Ex.P-7 is the certified copy of sale deed in respect of land Sy.No.172/3 totally measuring 3 acres 11 guntas to the extent of 12 guntas of Kaggod village sold for Rs.2,70,000/-. So, as per Ex.P-7 the dry land is sold for Rs.9,00,000/- per acre and the date of sale deed is 30.3.2016. Ex.P-7 is prior to the preliminary notification of present case. As per Ex.P-7 the payment is made through D.D. Ex.P-8 is the certified copy of sale deed dated 23.3.2016. The land Sy.No.15/1 measuring 3 acres 39 guntas to the extent of 1 acre 2 guntas of village Kaggod sold for Rs.8,92,500/- and the land shown in Ex.P-8 also dry land. So, as per Ex.P-8 the market value was Rs.8,50,000/- per

acre on the date of sale deed. Ex.P-8 shown the amount is paid through D.D. So, Ex.P-8 is the genuine document to prove the market value of acquired lands. Ex.P-9 is the certified copy of sale deed dated 18.3.2014. Ex.P-9 is not reliable to determine the market value of acquired land. Ex.P.10 is the certified copy of sale deed dated 22.3.2016. The land Sy.No.183/2 to the extent of 1 acre 21 guntas sold for Rs.11,90,000/-. So, the market value shown in Ex.P-10 is Rs.7,80,000/- per acre. The land sold in Ex.P-10 is also dry land and situated in Kaggod village. Ex.P-11 is the certified copy of sale deed dated 22.3.2016 in respect of land Sy.No.126/3 to the extent of 1 acre 22 guntas of Kaggod village sold for Rs.13,95,000/-. The land sold in Ex.P-11 is dry land. The market value shown in Ex.P-11 is Rs.9,00,000/- per acre. So, Ex.P-11 is reliable to determine the market value of acquired lands. The lands shown in Exs.P-5, 6, 7, 10 & 11 situated at

Kaggod village. I have perused all the sale deeds. In those sale deeds shown sale consideration amount was paid through D.D. So, Exs.P-5, 6, 7, 10 & 11 are reliable to determine the market value of acquired lands. Ex.P-12 is the village map. These are the documents relied by the petitioners to prove the market value of acquired lands.

17. The petitioners have appeared independently in all the claim petitions and deposed in their claim as they are entitled for enhancement of compensation. The learned counsel for respondent has made cross examination that the acquired lands are dry lands. Further admitted that the sale deeds i.e., Exs.P-4 to 10 pertaining to Wind Power Company. The admission made in cross examination of evidence of 5 witnesses prove that the acquired lands are dry lands. So, I am of the opinion that the testimonies of all the witnesses are reliable for enhancement of compensation. So, I am of the opinion that the learned counsel for

State has made cross examination in length, nothing is elicited to disbelieve their testimonies.

18. The respondent has got marked Exs.R-1 to 3 independently in all the cases.

19. The learned counsel for the petitioners has filed the written arguments in respect of acquired land. The learned Special Government Counsel has also filed written arguments and relied upon the case law **ONGC Limited Vs. Sendabhai Vastarm Patel and Others 2006(1) LAC 388 SC**, but not produced. By relying the above case law the learned Special Government Counsel has seriously objects for enhancement of compensation.

20. I have perused the copy of the award passed by the LAO. In para-21 shown the acquired land Sy.No.31 measuring 3 acres 4 guntas of village Kaggod. I have perused the award. The LAO held that the acquired land is dry land. So, the petitioner in LAC No.3/2019 successful to prove

the acquired land is dry land and entitled for compensation in respect of dry land.

21. I have perused the para-7 of the award. The acquired land Sy.No.172/1B measuring 1 acre 36 guntas of village Kaggod. As per the contents of para-7 the acquired land is dry land. Though the petitioner claims the market value of irrigated land but not produced any material to prove the land Sy.No.172/1B measuring 1 acre 36 guntas of Kaggod village is irrigated one. So, I am of the opinion that petitioner successful to prove the acquired land Sy.No.172/1B measuring 1 acre 36 guntas of village Kaggod in LAC No.5/2019 is dry land. So, the petitioner is entitled for enhancement of compensation in respect of dry land.

22. I have perused the para-40 of the award. The land Sy.No.14/2C measuring 1 acre 16 guntas of Kaggod village acquired by the State. The petitioner claims that it is an irrigated land, but

not produced any material to prove the acquired land is irrigated one. The LAO has observed in the award the acquired land is dry land. So, I am of the opinion that the petitioner in LAC No.8/2019 successful to prove the acquired land is dry land. So, he is entitled for compensation in respect of dry land.

23. I have perused the para-23 of the award. The petitioner in LAC No.11/2019 claims that acquired land is irrigated land Sy.No.29/1B/1, 29/1B/2, 29/1B measuring 3 acres 18 guntas of village Kaggod. The petitioner has not produced any material to prove that his land is irrigated land. I have perused the para-23 of the award. In para-23 of the award, the LAO held that the acquired land is dry land. So, I am of the opinion that the petitioner in LAC No.11/2019 successful to prove the acquired land Sy.No.29/1B/1, 29/1B/2 (29/1B) measuring 3 acres 18 guntas of village Kaggod is dry land.

24. I have perused the para-12 of the award. The petitioner in LAC No.13/2019 claims that acquired land is irrigated land Sy.No.164/1, 164/2 measuring 5 acres 11 guntas of village Kaggod. The petitioners have not produced any material to prove that their land is irrigated land. I have perused the para-12 of the award. In para-12 of the award, the LAO held that the acquired land is dry land. So, I am of the opinion that the petitioners in LAC No.13/2019 successful to prove the acquired land Sy.No.164/1, 164/2 measuring 5 acres 11 guntas of village Kaggod is dry land.

25. I have perused the para-22 of the award. The petitioner in LAC No.17/2019 claims that acquired land is irrigated land Sy.No.29/1A+2A/1, 29/1A+2A/2 (29/1A+2A) measuring 2 acres 7 guntas of village Kaggod. The petitioner has not produced any material to prove that his land is irrigated land. I have perused the para-22 of the award. In para-22 of the award, the LAO held that

the acquired land is dry land. So, I am of the opinion that the petitioners in LAC No.17/2019 successful to prove the acquired land Sy.No.29/1A+2A/1 measuring 2 acres 7 guntas of village Kaggod is dry land.

26. I have perused the Exs.P-1 to 16, Exs.R-1 to 3 and evidence of all the witnesses. The acquired land in LAC No.3/2019, 5/2019, 8/2019, 11/2019 and 13/2019 are dry lands. The petitioners in LAC No.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 and 17/2019 are successful to prove their lands are dry lands and they are entitled for compensation in respect of dry lands. The petitioners have got marked Exs.P-5, 7, 8 & 10 are the certified copies of sale deeds of village Kaggod. The acquired lands are situated in Kaggod village. The quality of the land shown in all the sale deeds and quality of acquired lands are the same. So, as per Sec.26 of the Amended Land Acquisition Act, the market value can be determined on the basis of

average price. The Exs.P-5, 7, 8 & 10 are the certified copies of sale deeds in respect of dry lands. This Court relied upon **ILR 2004 KAR page-5153 between Cement Corporation of India Limited Vs. Purya and others**. In the above said judgment of Hon'ble Apex Court held that the certified copy of sale deed can be accepted without examining the witnesses or vendor or vendee. So, the Exs.P-5, 7, 8 & 10 are reliable to prove the market value of acquired lands in LAC No.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 and 17/2019. In Ex.P-5 land sold for Rs.9,00,000/- per acre; In Ex.P-7 land sold for Rs.9,00,000/- per acre; In Ex.P-8 land sold for Rs.8,50,000/- per acre; In Ex.P-10 land sold for Rs.7,80,000/- per acre and in Ex.P-11 land sold for Rs.9,00,000/- per acre. The Exs.P-5, 7, 8, 10 & 11 are prior to the preliminary notification. All these sale deeds have taken place in the year March 2016 and 11(1) Notification was issued on 2.5.2016. So, the above said sale deeds

have taken place prior to preliminary notification. So, I am of the opinion that Exs.P-5, 7, 8, 10 & 11 are reliable to prove the market value of acquired lands. The average price is calculated as under:

Ex.P-5	Rs.9,00,000/- per acre.
Ex.P-7	Rs.9,00,000/- per acre.
Ex.P-8	Rs.8,50,000/- per acre.
Ex.P-10	Rs.7,80,000/- per acre.
Ex.P-11	Rs.9,00,000/- per acre.

Total:	Rs.43,30,000/-

The average price is calculated as under:

$$\frac{\text{Rs.43,30,000/-}}{5}$$

27. The average price is Rs.8,66,000/- per acre approximately. So, this Court held that Rs.8,50,000/- per acre in respect of dry lands on the date of preliminary notification. So, I am of the opinion that it is a fit case to award the compensation of Rs.8,50,000/- per acre in respect of dry lands. The petitioners successful to prove the market value of acquired land of Rs.8,50,000/- per acre. The acquired lands in LAC No.3/2019,

5/2019, 8/2019, 11/2019, 13/2019 & 17/2019 are dry lands. The petitioner in LAC No.3/2019 is entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.31 measuring 3 acres 4 guntas of Kaggod village. The petitioner in LAC No.5/2019 is entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.172/1B measuring 1 acre 36 guntas of Kaggod village. The petitioner in LAC No.8/2019 is entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.14/2C measuring 1 acre 16 guntas of Kaggod village. The petitioner in LAC No.11/2019 is entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.29/1B, 29/1B/2 measuring 3 acres 18 guntas of Kaggod village. The petitioners in LAC No.13/2019 are entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.164/1, 164/2 measuring 5 acres 11 guntas of Kaggod village. The petitioner in LAC

No.17/2019 is entitled for compensation of Rs.8,50,000/- per acre in respect of land Sy.No.29/1A+2A/1 measuring 2 acres 7 guntas of Kaggod village. So, the market value of the above said acquired lands was Rs.8,50,000/- per acre on the date of preliminary notification. All the acquired lands are dry lands. So, I am of the opinion that petitioner in LAC No.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 & 17/2019 are successful to prove that the acquired lands are dry lands and they are entitled for compensation @ Rs.8,50,000/- per acre.

28. The acquired lands are situated in rural areas. So, the market value is multiplied by the Factor 2 as per First Schedule of RFCTLARR Act 2013 and further they are entitled for 100% solatium and further entitled 12% additional market value and further entitled interest @ 9% per annum for a period of one year from the date of taking possession and thereafter 15% per annum

till deposit of the amount. I have perused the award of LAO. The LAO has awarded Rs.1,35,800/- per acre in respect of dry land and Rs.1,48,000/- per acre in respect of irrigated land. So, the LAO has awarded inadequate compensation and he has determined the market value on the basis of lower sale deeds. So, I am of the opinion that the petitioners successful to prove the respondent has awarded inadequate compensation and they are entitled for enhancement of compensation. In view of the above said reasons, this Court held point No.2 in the affirmative and point No.3 partly in the affirmative.

29. **Reaons on Point No.4:** In view of reasons on points No.1 to 3, I pass the following:

O R D E R

The reference petitions LAC Nos.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 and 17/2019 filed under Section 64(1) of the Right to Fair Compensation and Transparency in Land Acquisition,

Rehabilitation and Resettlement Act, 2013 filed by the petitioners are hereby partly allowed with costs.

The petitioner in LAC No.3/2019 is entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.31 measuring 3 acres 4 guntas of village Kaggod.

The petitioner in LAC No.5/2019 is entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.172/1B measuring 1 acre 36 guntas of Kaggod village.

The petitioner in LAC No.8/2019 is entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.14/2C measuring 1 acre 16 guntas of Kaggod village.

The petitioner in LAC No.11/2019 is entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.29/1B/1 & 29/1B/2 measuring 3 acres 18 guntas of Kaggod village.

The petitioners in LAC No.13/2019 are entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.164/1 & 164/2 measuring 5 acres 11 guntas of Kaggod village.

The petitioner in LAC No.17/2019 is entitled for compensation @ Rs.8,50,000/- per acre in respect of Sy.No.29/1A+2A/1 measuring 2 acres 7 guntas of Kaggod village.

It is further ordered that the market value is multiplied by factor 2 as per First Schedule of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 with 100% solatium.

It is further ordered that 12% of additional market value and 9% interest per annum from the date of taking possession for the period of one year and thereafter 15% per annum for further period till deposit of the amount.

Draw Award accordingly.

The original judgment kept in LAC
No.11/2019 and copies kept in LAC
No.3/2019, 5/2019, 8/2019, 13/2019
and 17/2019.

(Dictated to the Judgment Writer, transcribed by him,
script corrected and then pronounced by me in the Open
Court on this the 13th day of August, 2021)

(KARABARI RAVINDRA)
III Additional District Judge
& Additional Land Acquisition,
Rehabilitation & Resettlement Authority,
Vijayapura.

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ANNEXURE

List of Witnesses examined on behalf of Claimants:

PW-1 : Ningappa S/o. Irappa Banthnal in LAC
No.11/2019 & 17/2019

PW-1 : Allabax S/o. Mahaboobsab Mopagar in LAC
No.3/2019

PW-1 : Basappa @ Basavaraj S/o. Ramappa @ Rayappa
Nimbal in LAC No.5/2019

PW-1 : Neelamma D/o. Shankreppa Babaleshwar @
Harijan in LAC No.8/2019

PW-1: Ningappa S/o. Sidramappa Awati in LAC No.13/19

List of Documents marked on behalf of Claimants:

Exs.P:

- 1 : Reference Application in LAC No.11/2019
- 2 : Reference Application in LAC No.17/2019

- 3 : Certified copy of Gazette
- 4 : Certified copy of Payment Voucher
- 5 to 11 : Certified copies of sale deeds
- 12 : Vijayapura District Map
- 13 : Reference Application in LAC No.3/2019
- 14 : Reference Application in LAC No.5/2019
- 15 : Reference Application in LAC No.8/2019
- 16 : Reference Application in LAC No.13./2019

List of Witnesses examined on behalf of Respondents:

-Nil-

List of Documents marked on behalf of Respondents:
In Nos.3/2019, 5/2019, 8/2019, 11/2019, 13/2019 and
17/2019:

- Ex.R-1 : Copy of Schedule U/S.65(2) of L.A. Act.
- Ex.R-2 : Copy of Notice U/S.37(2) of L.A. Act.
- Ex.R-3 : Copy of Award No.LAQ:SR:135/2015-16.

(KARABARI RAVINDRA)

III Additional District Judge
& Additional Land Acquisition,
Rehabilitation & Resettlement Authority,
Vijayapura.