



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

REVIEW PETITION NO. 90 OF 2026

IN

MISCELLANEOUS FIRST APPEAL NO. 1321 OF 2025 (AA)

BETWEEN:

1. NATIONAL HIGHWAY AUTHORITY OF INDIA
PIU-MANGALORE
DOOR NO.3-29, BETHEL
THARETHOTA, NEAR PUMPWELL (NH-66)
MANGALORE - 575 005
REPRESENTED BY ITS
PROJECT DIRECTOR

...PETITIONER

(BY SRI SHOBHITH N. SHETTY, ADVOCATE)

AND:

1. SRI U.K. ABDUL RASHEED
S/O. LATE U.K. ABBAS
UPPINANGADY OLD GATE
SUBRAMANYA CROSS ROAD
UPPINANGADY VILLAGE
PUTTUR TALUK - 574 241
2. THE COMPETENT AUTHORITY &
SPECIAL LAND ACQUISITION OFFICER
(N.H.A.I), N.H. - 75, HASSAN - B.C. ROAD SECTION

Digitally
signed by
SRIDEVI S
Location:
High Court
of Karnataka



NO. HIG-64, DTDC COURIER OFFICE BUILDING
1ST FLOOR, KHB COLONY
CHANNAPATTANA
OPP. KSRTC NEW BUS STAND
HASSAN - 573 201

3. THE DEPUTY COMMISSIONER AND ARBITRATOR
DAKSHINA KANNADA DISTRICT
MANGALURU - 575 008

...RESPONDENTS

THIS REVIEW PETITION IS FILED UNDER ORDER 47 R/W
SECTION 114 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO
REVIEW THE ORDER DATED 17.11.2025 IN MFA NO.1321/2025 (AA)
BY RECALLING THE SAME AND REHEAR THE PETITION ON
MERITS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. For the reasons stated in the application - I.A.1/2026, the
delay in filing the appeal is condoned. The application is
accordingly allowed.



2. The review petitioner has filed the present review petition seeking review of the order dated 17.11.2025 passed in MFA.No.1321/2025. The review petitioner points out that one of the submissions as set out in the appeal has not been considered. He has drawn the attention to paragraph 8 of Memorandum of Appeal (MFA.No.1321/2025), which reads as under:

"Challenging the above enhanced award of compensation passed by the Respondent No.3, the Appellant herein filed a suit in A.P.No.106/2022 on the file of the 4th Additional District Judge at Dakshina Kannada, Mangalore. During the pendency of the appeal, the appellant herein filed a memo before the Hon'ble District Judge with a prayer for permission to pay the amount as per Section 3G award rate for Non-Agriculture (Residential) land fixed by the respondent No.2 (Defendant No.2 i.e., SLAO, Hassan) to the Respondent No.1 i.e., Rs.5,424/- per Sq. mts. accordingly Hon'ble Court directed the appellant to pay the said difference amount to the Respondent No.1. Subsequently Rs.59,94,317/- has been paid to the Respondent No.1 along with interest for acquired land in Sy.No.61/1 for the extent of 263 Sq. Mtr., (land rate fixed by the SLAO for Non- Agriculture (Residential). Therefore enhanced compensation for the 263 Sq. Mtr., in Sy.No.61/1 is under challenge before this Hon'ble Court i.e., Rs.2,72,189/- per cent in this appeal."

3. He submits that the price for non-agricultural residential land at the material time was ₹5,424/- per square metre, which translates to ₹2,19,509/- per cent. Therefore, the award which proceeds on the basis that the market value of the residentially converted land was ₹2,72,189/- is erroneous.



4. The order dated 17.11.2025 passed in MFA.No.1321/2025 is recalled.
5. In view of the above, the present review petition is disposed of.
6. List MFA.No.1321/2025 on 16.04.2026.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

SD
List No.: 2 Sl No.: 21