



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

MISCELLANEOUS FIRST APPEAL NO.3083/2015 (LAC)

BETWEEN:

LATHA
W/O VENKATE GOWDA
AGE MAJOR
ECHALAHALLY VILLAGE, KANDLI POST
KASABA HOBLI, HASSAN TQ AND DIST.



...APPELLANT

(BY SRI. NARENDRA GOWDA, ADV.,)

AND:

1. SPECIAL LAND ACQUISITION OFFICER
HEMAVATHI RESERVOIR PLANNING-2
OFFICE OF DEPUTY COMMISSIONER
HASSAN DISTRICT, HASSAN.
2. MANAGING DIRECTOR
CAUVERY NEERAVARI NIGAM
SURFACE WATER DATA CENTRE
BUILDING, ANAND RAO CIRCLE
BENGALURU.
[AMENDED AS PER COURT ORDER DTD:24.02.2026]

...RESPONDENTS

(BY SRI. B.R. PRASHANTH, ADV., FOR R2
SMT. RADHA RAMASWAMY, AGA FOR R1)



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THIS MFA IS FILED U/S.54 OF THE LAND ACQUISITION ACT, 1894, PRAYING TO CALL FOR THE RECORDS IN LAC NO.62/2011 FROM THE COURT OF THE ADDL. SENIOR CIVIL JUDGE, HASSAN. ALLOW THIS APPEAL AND MODIFY THE JUDGMENT AND AWARD PASSED RECORDS IN LAC NO.62/2011 FROM THE COURT OF THE ADDL. SENIOR CIVIL JUDGE, HASSAN DATED 11.07.2014, THEREBY ENHANCING THE COMPENSATION SUITABLE & ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

This appeal is filed by the claimant challenging the judgment and award dated 11.07.2014 passed in LAC No.62/2011 by the Court of the Additional Senior Civil Judge, Hassan (hereinafter referred to as 'the Reference Court') seeking for higher compensation.

2. For the sake of convenience, the parties are referred to as per their ranking before the Reference Court.



3. The brief facts leading to the filing of this appeal are that the claimant's land measuring 21 guntas in Sy.No.58 situated at Echalahally Village, Hassan Taluk and District, was acquired by the respondents for the purpose of Yagachi Reservoir project.

4. The Special Land Acquisition Officer (SLAO) determined the market value of the land at Rs.63,800/- per acre. Upon reference, the Reference Court, on appreciation of the evidence on record, re-determined the market value of the lands in Sy.No.58 at Rs.20,000/- per gunta along with all statutory benefits. Aggrieved by the same, the claimant has filed this appeal seeking for higher compensation.

5. Sri.Narendra Gowda, learned counsel for the appellant-claimant submits that the Reference Court has not considered the pleading and evidence in its proper perspective and has awarded meager compensation. It is submitted that similarly placed land losers have received



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higher compensation. In the alternate, the appellant concedes that the respondent No.2 was not impleaded before the Reference Court and consents for the remand of the appeal for fresh evidence by the parties. Hence, he seeks to reconsider the evidence on record and allow the appeal.

6. *Per contra*, Sri. B.R.Prashanth, learned counsel appearing for the respondent No.2 submits that the respondent No.2 is the beneficiary of the acquisition and was not arrayed as a party before the Reference Court. Hence, it would be appropriate to implead the respondent No.2 before the Reference Court and permit the respondent No.2 to adduce evidence with regard to the market value of the land in question. In support of his contentions, he placed reliance on the decision of this court in the case of **ANNE GOWDA Vs. SPECIAL LAND ACQUISITION OFFICER, HASSAN AND ANOTHER¹**. Hence, he seeks to dismiss the appeal.

¹ MFA No. 7278/2015 dtd 27.10.2025



7. The learned Additional Government Advocate for the respondent No.1 supports the impugned judgment and seeks to dismiss the appeal.

8. We have heard the learned counsel for the appellant, the learned Additional Government Advocate for the respondent No.1, learned counsel for the respondent No.2 and perused the material available on record. We have given our anxious consideration to the submissions advanced on both the sides.

9. It is not in dispute that the claimant's land measuring 21 guntas in Sy.No.58 situated at Echalahalli Village, Hassan Taluk and District, was acquired by the respondents for the purpose of Yagachi Reservoir project vide preliminary notification dated 30.03.2006. Thereafter, the final notification was issued on 16.12.2006 and the respondent No.1 passed an award dated 31.01.2009 fixing the market value at Rs.63,800/- per acre. The claimant sought for reference before the



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Reference Court seeking enhancement of the compensation. The Reference Court recorded the evidence, wherein the claimant examined herself as PW-1 and produced the documents at Ex.P1 to Ex.P22. The respondents neither adduced any evidence nor produced any documents. The Reference Court, on the basis of the material on record, enhanced the market value to Rs.20,000/- per gunta.

10. The learned counsel for the appellant seeks for the enhancement of the market value by re-appreciating the evidence on record by contending that the similarly placed land losers have received higher compensation, but has not produced any judgment to support the said claim. The learned counsel for the respondent No.2 fairly contended that the impugned judgment and award of the Reference Court is without arraying the respondent No.2, who is the beneficiary of the acquisition as a party to the proceedings before the Reference Court. The learned counsel for the respondent No.2 further seeks for remand



of the matter back to the Reference Court and to permit him to adduce evidence. It is not in dispute that the beneficiary of the acquisition i.e. Cauvery Neeravari Nigam which is required to satisfy the award, was not a party before the Reference Court. Furthermore, the learned counsel for the appellant concedes that the respondent No.2 was not impleaded as a party and consents to remand the petition back to the Reference Court for fresh evidence. Hence, we are of the considered view that matter is required to be remanded to the Reference Court with a direction to provide sufficient opportunity to the parties to adduce fresh evidence.

11. For the aforementioned reasons, the appeal is allowed-in-part with costs.

The impugned judgment and award of the Reference Court dated 11.07.2014 passed in LAC No.62/2011 is set aside.

The matter is remitted back to the Reference Court to re-determine the reference petition on its merits and in



accordance with law after providing sufficient opportunity to the parties to adduce evidence.

It is needless to observe that the respondent No.2 shall be impleaded as a party before the Reference Court.

It is made clear that this Court has not expressed any opinion with regard to the market value of the land in question.

The parties shall appear before the Reference Court on 16.04.2026.

The Registry shall refund the eligible Court fee.

Consequently, the pending applications stands disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**