



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

REGULAR FIRST APPEAL NO. 1933 OF 2025 (RES)

BETWEEN:

1. SMT. SHIVAMMA
W/O VIJAYAPPA
AGED ABOUT 47 YEARS
RESIDING AT BANUMANAKATTE
VILLAGE AND POST
SHIMOGGA TALUK
SHIMOGGA DISTRICT
KARNATAKA-577 201.

...APPELLANT

(BY SRI. JAYARAJ .D.S, ADVOCATE)

AND:

1. SRI. HANUMANTHAPPA
S/O RANGAPPA
AGED ABOUT 70 YEARS
2. SRI. BASAVARAJAPPA
S/O RANGAPPA
AGED ABOUT 65 YEARS
3. SRI. GANGURAPPA
S/O RANGAPPA
AGED ABOUT 71 YEARS
4. SRI. MAHINDRA RAO
S/O BHAIROJI RAO
AGED ABOUT 71 YEARS





R1 TO R4 ARE RESIDING AT
BASAVANA GANGURU VILLAGE
SHIVAMOGGA TALUK
SHIVAMOGGA DISTRICT
KARNATAKA-577 204.

5. THE SPECIAL LAND ACQUISITION OFFICER
UPPER TUNGA PROJECT
SHIVAMOGGA TALUK
SHIVAMOGGA DISTRICT
KARNATAKA-577 201.

6. THE EXECUTIVE ENGINEER
UPPER TUNGA PROJECT
SHIVAMOGGA DIVISION
SHIVAMOGGA TALUK
SHIVAMOGGA DISTRICT
KARNATAKA-577 201.

...RESPONDENTS

THIS RFA FILED UNDER SECTION 96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 03.07.2025 PASSED ON IA NO. 6 IN EX.P.NO.55/2020 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND CJM, SHIVAMOGGA, REJECTING THE IA NO. 6 FILED U/O XXI RULE 97 TO 106 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL JUDGMENT

Office has raised an objection in regard to maintainability of appeal since the value of appeal does not exceed Rs.10,00,000/-.



2. On perusal of the valuation stated in the appeal memo, the appeal is valued at Rs.6,48,000/- for the purpose of pecuniary jurisdiction. Therefore, appeal lies before the District Judge.

3. Upholding the office objection, the appeal is dismissed as not maintainable. Liberty is reserved to the appellant to approach the competent appellate Court.

4. Registry shall forthwith return certified copies of the judgment after securing photocopies.

5. Time spent before this Court shall be excluded in the event appeal is filed within two weeks from the date of receipt of a copy of this order.

SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE

ALB
List No.: 1 Sl No.: 43