



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

**BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA**

WRIT PETITION NO.101136 OF 2026 (LA-RES)
C/W
WRIT PETITION NO.100778 OF 2026 (LA-RES)
WRIT PETITION NO.101167 OF 2026 (LA-RES)

IN WP No.101136/2026:

BETWEEN:

KEDARI S/O. NINGAPPA DANGI
SINCE DECEASED BY LRs.,

1. ANAND S/O. KEDARI DANGI
AGE. 37 YEARS, OCC. AGRICULTURE,
2. SUNIL S/O. KEDARI DANGI
AGE. 23 YEARS, OCC. AGRICULTURE,
3. NINGAPPA S/O. KEDARI DANGI
AGE. 30 YEARS, OCC. AGRICULTURE,
4. BAGAWWA W/O. KADAPPA DESAI
AGE. 67 YEARS, OCC. HOUSEHOLD WORK,

ALL R/O. MUDHOL, TQ. MUDHOL,
DIST. BAGALKOT-587313.

...PETITIONERS

(BY SRI. PAVAN KUMAR BHIMAPPA DODDATTI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY, DEPT. OF REVENUE,
M.S. BUILDING, BENGALURU-560001.





NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

2. THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER, JAMKHANDI,
DIST. BAGALKOT-587301.

...RESPONDENTS

(BY SRI. PRAVEEN K.UPPAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.2 TO CONSIDER THE APPLICATION DATED 06.10.2025 FILED U/O 6 R-17 CPC ON THE FILE OF THE LAND ACQUISITION OFFICER/ ASSISTANT COMMISSIONER, JAMKHANDI AND PASS AN ORDER REDETERMINATION AWARD UNDER SECTION 73 OF THE RFCTLARR ACT, 2013 AT THE RATE OF RS.870/- PER SQ.FT. WITHIN A PERIOD OF 8 TO 12 WEEKS AS PER ANNEXURE-D; DIRECT THE RESPONDENTS TO PAY INTEREST FOR THE PERIOD OF DELAY CAUSED BY RESPONDENT NO.2 IN DECIDING THE SECTION 73 APPLICATION; AND ETC.

IN WP NO.100778/2026

BETWEEN:

1. SMT. NEELAWWA W/O. ISHWAR @ VISWAS MANE
AGE. 60 YEARS, OCC. AGRICULTURE,
2. RAJESHRI W/O. MANTESH DANANNAVAR
AGE. 42 YEARS, OCC. AGRIL,
3. JAYASHRI W/O. RAMESH DANANNAVAR
AGE. 38 YEARS, OCC. AGRIL,
4. UMA W/O. KUMAR DANANNAVAR
AGE. 34 YEARS, OCC. AGRIL,
5. SAVITRI W/O. RAJU KHALATE
AGE. 32 YEARS, OCC. AGRIL,
6. MAHANANDA D/O. ISHWAR @ VISWAS MANE
AGE. 29 YEARS, OCC. AGRIL,
7. POOJA D/O. ISHWAR @ VISWAS MANE
AGE. 26 YEARS, OCC. AGRIL,



NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

ALL ARE R/O. MUDHOL, TQ. MUDHOL,
DIST. BAGALKOT-587313.

...PETITIONERS

(BY SRI. PAVAN KUMAR B.DODDATTI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY, DEPT. OF REVENUE,
M.S BUILDING, BENGALURU-560001.
2. THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER,
JAMKHANDI, DIST. BAGALKOT-587301.

...RESPONDENTS

(BY SRI. PRAVEEN K.UPPAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.2 TO CONSIDER THE APPLICATION DATED 06.10.2025 FILED UNDER ORDER 6 R-17 CPC ON THE FILE OF THE LAND ACQUISITION OFFICER/ASSISTANT COMMISSIONER, JAMAKHANDI AND PASS AN ORDER REDETERMINATION AWARD UNDER SECTION 73 OF THE RFCTLARR ACT, 2013, AT THE RATE OF RS.870/- PER SQ. FT. WITHIN A PERIOD OF 8 TO 12 WEEKS AS PER ANNEXURE-D; DIRECT THE RESPONDENTS TO PAY INTEREST FOR THE PERIOD OF DELAY CAUSED BY RESPONDENT NO.2 IN DECIDING THE SECTION 73 APPLICATION; AND ETC.

IN WP NO.101167/2026:

BETWEEN:

SMT. SEETAWWA W/O. YAMANAPPA KAMABALE
SINCE DECEASED BY HER LRS.,

1. HANAMANT S/O. MALLAWWA KAMABALE
AGE. 39 YEARS, OCC. AGRICULTURE,



NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

2. BASAVARAJ S/O. MALLAWWA KAMABALE
AGE. 37 YEARS, OCC. AGRICULTURE,
ALL R/O. MUDHOL, TQ. MUDHOL,
DIST. BAGALKOT-587313.

...PETITIONERS

(BY SRI. PAVANKUMAR B.DODDATTI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY,
DEPT. OF REVENUE, M.S. BUILDING,
BENGALURU-560001.
2. THE SPECIAL LAND ACQUISITION OFFICER/
ASSISTANT COMMISSIONER,
JAMKHANDI, DIST. BAGALKOT-587 301.

...RESPONDENTS

(BY SRI. PRAVEEN K.UPPAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.2 TO CONSIDER THE APPLICATION DATED 09.10.2025 FILED U/O VI R-17 CPC ON THE FILE OF THE LAND ACQUISITION OFFICER/ASSISTANT COMMISSIONER, JAMKHANDI PRODUCED AT ANNEXURE-D AND PASS AN ORDER TO REDETERMINATION OF AWARD UNDER SECTION 73(3) OF THE RFCTLARR ACT, 2023 AT THE RATE OF RS.870/- PER SQ.FT. AS PER AMENDED PETITION DATED 04.10.2023 PRODUCED AT ANNEXURE-C; DIRECT THE RESPONDENTS TO PAY INTEREST FOR THE PERIOD OF DELAY CAUSED BY RESPONDENT NO.2 IN DECIDING THE SECTION 73 APPLICATION; AND ETC.

THESE WRIT PETITIONS COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS JUSTICE K.S.HEMALEKHA



ORAL ORDER

1. These writ petitions are taken up together as they involve common question of facts and law and are disposed of by this common order.
2. The petitioners are seeking a writ of mandamus directing respondent No.2 to consider and dispose of their applications filed under Section 73 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short '2013, Act') and the amendment applications for determination of compensation at Rs.870/- per square feet as fixed by the Reference Court in LAC No.5055/2021 C/w LAC Nos.5209, 5212 and 5218 of 2021 (Revision Order dated 25.10.2023).
3. The petitioners claim to be the owners of lands situated at Mudhol Village, which were acquired for construction of Mudhol bypass road under Notification dated 29.01.2011 and award was



NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

passed on 16.04.2015 granting compensation of Rs.5,02,500/- per acre. Similarly situated persons sought reference under Section 18 of the Land Acquisition Act, 1894. The Reference Court initially fixed compensation and later on, by the revision order dated 25.10.2023, finalized the rate at the rate of Rs.870/- per square feet along with statutory benefits. The petitioners filed applications under Section 73(3) of the 2013, Act on different dates seeking parity. After the revision order, they also filed amendment applications. It is the grievance of the petitioners that despite lapse of two years from the original application filed and several months from the amendment applications, respondent No.2 has not passed any order.

4. Learned Additional Government Advocate submits that they have filed Miscellaneous First Appeal against the order granting compensation at



Rs.870/- per square feet. The said Miscellaneous First Appeal is pending adjudication. Therefore, the authority has not proceeded under Section 73 of the Act.

5. This Court has carefully considered the contentions urged and perused the material on record.
6. The petitioners seek a direction under Section 73 of the Act for re-determination of compensation at the rate of Rs.870/- per square feet as determined by the Reference Court in LAC No.5055/2021 and connected matters. It is not in dispute that the lands of the petitioners were acquired under the same notification and for the same public purpose as that of the landowners in LAC No.5055/2021. It is also not in dispute that the Reference Court, by judgment dated 05.07.2023, as modified by the Revision Order dated 25.10.2023, has fixed the



market value at Rs. 870/- per square foot along with statutory benefits.

7. If the submission of the learned Additional Government Advocate is taken into consideration that a Miscellaneous First Appeal challenging the order of the Reference Court is pending, it would be a situation wherein the applications filed under Section 73 would remain unanswered. Mere filing of an appeal against the judgment of the Reference Court does not automatically operate as a stay of the impugned judgment appealed against, unless there is a specific order of stay of the said judgment.
8. It is also brought to the notice of this Court that, in respect of two LAC matters, the Miscellaneous First Appeals preferred by the State have already ended in dismissal, which, according to the



learned Additional Government Advocate, is on account of non-compliance of the office objections.

9. Be that as it may, unless there is a specific order staying the operation of the order under challenge or restraining its implementation, the judgment continues to remain in operation. Section 73 of the Act uses the expression "shall," thereby creating a statutory obligation upon the SLAO to re-determine the compensation payable to similarly situated land losers once the Reference Court enhances the market value. The provision is intended to ensure parity and prevent discrimination among the landowners covered under the same acquisition notification. The pendency of the Miscellaneous First Appeal cannot be a ground for indefinite inaction. At the same time, this Court is conscious of the fact that the appeal preferred by the State is pending consideration. However, while respondent No.2



NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

cannot refuse to consider the application, any re-determination shall always necessarily be subject to the final outcome of that MFA. In the absence of any material placed before this Court to show that judgment in LAC No.5055/2021 has been stayed, respondent is not justified in maintaining silence over the petitioner's application. Accordingly, this Court is of the view that, necessary direction is to be issued to the respondent-authority to consider and dispose of the petitioner's application filed under Section 73 of the Act and as well as amendment application within a time bound manner making it clear that re-determination would be always subject to final outcome of that MFA. Accordingly, this Court pass the following:

ORDER

- i. The writ petitions are ***allowed***



NC: 2026:KHC-D:2874
WP No. 101136 of 2026
C/W WP No. 100778 of 2026
WP No. 101167 of 2026

- ii. Respondent No.2-SLAO is directed to consider the application filed under Section 73 of the Act as well as the amendment application, in accordance with law, within a period of three months from the date of receipt of a certified copy of this order.
- iii. It is made clear that consideration of the applications would be subject to final outcome of Miscellaneous First Appeal.

Sd/-
JUSTICE K.S.HEMALEKHA

AM/-
CT:VH
List No.: 1 Sl No.: 31