



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT APPEAL NO. 100078 OF 2026 (LA-RES)

BETWEEN:

1. THE STATE OF KARNATAKA,
REPRESENTED BY THE
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M. S. BUILDING,
BENGALURU – 560 001.
2. THE SPECIAL DEPUTY COMMISSIONER
LAND ACQUISITION REHABILITATION
AND RESETTLEMENT
MAJOR IRRIGATION PROJECTS,
SUVARNA SOUDHA,
BELAGAVI – 590 001.
3. THE SPECIAL LAND ACQUISITION
OFFICER HIDAKAL DAM
AT: HIDAKAL,
TQ: HUKKERI,
DIST: BELAGAVI.

... APPELLANTS

(BY SRI. SHASHI KIRAN SHETTY, AG A/W
SRI. GANGADHAR J. M., AAG A/W
SRI. PRAVEEN UPPAR, AGA)

AND:

1. SHIVAPPA A/F BHIMAPPA KACHI,
AGE: 61 YEARS,
OCC: AGRICULTURE,
R/O: JINARAL, TQ: HUKKERI,

Digitally signed
by RAKESH S
HARISHAR
Location: High
Court of
Karnataka,
Dharwad Bench



DIST: BELAGAVI – 591 243.

2. DUNDAPPA
S/O. PARAPPA KACHI,
AGE: 70 YEARS,
OCC: AGRICULTURE,
R/O: JINARAL, TQ: HUKKERI,
DIST: BELAGAVI – 591 243.
3. KEMPANNA
S/O. PARAPPA KACHI,
AGE: 65 YEARS,
OCC: AGRICULTURE,
R/O: JINARAL, TQ: HUKKERI,
DIST: BELAGAVI.
4. RATNAVVA
W/O. KALLAPPA KACHI,
AGE: 60 YEARS,
OCC: HOUSEHOLD,
R/O: JINARAL, TQ: HUKKERI,
DIST: BELAGAVI – 591 243.
5. MARUTI S/O. KALLAPPA KACHI,
AGE: 35 YEARS, OCC: SERVICE,
R/O: JINARAL, TQ: HUKKERI,
DIST: BELAGAVI – 591 243.
6. BASAVARAJ
S/O KALLAPPA KACHI,
AGE: 30 YEARS,
OCC: AGRICULTURE,
R/O: JINARAL, TQ: HUKKERI,
DIST: BELAGAVI – 591 243.
7. THE EXECUTIVE ENGINEER,
KNNL G. R. B. C, DIV NO. 2,
HIDAKAL DAM, AT. HIDAKAL,
TQ: HUKKERI, DIST: BELAGAVI.
8. THE ASSISTANT
EXECUTIVE ENGINEER,
KNNL C. R. B. C, DIV.NO.1



HIDAKAL DAM
AT. HIDAKAL, TQ: HUKKERI,
DIST: BELAGAVI.

9. THE CHIEF ADMINISTRATIVE OFFICER,
KARNATAKA NEERAVARI
NIGAMA NIYAMITA, WALMI BUILDING,
DHARWAD – 580 011.
10. THE MANAGING DIRECTOR KNNL,
NO.1, COFFEE BOARD BUILDING,
DR. B. R. AMBEDKAR ROAD,
BENGALURU – 560 001.

... RESPONDENTS
(BY SRI. B.P. MATHAPATI, ADV. FOR R1 TO R6)

THIS WRIT APPEAL IS FILED U/S. 4 OF
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO
CALL FOR RECORDS. ALLOW THE WRIT APPEAL BY
SETTING ASIDE THE ORDER DATED 18.08.2025
PASSED BY THE LEARNED HON'BLE SINGLE JUDGE OF
THIS COURT IN WP.NO.103597/2025 ONLY INSOFAR
THE DIRECTION NO.III IV AND V. TO PASS ANY OTHER
ORDER THIS HON'BLE COURT DEEMS FIT TO GRANT IN
THE FACTS AND CIRCUMSTANCES OF THE CASE AND
AWARD THE COST IN THIS WRIT APPEAL IN THE
INTEREST OF JUSTICE AND EQUITY.

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

CORAM: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD
AND
THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE B.M. SHYAM PRASAD)

The private respondents have filed their petition in W.P. No.103597/2025 for directions to initiate acquisition proceedings for payment of compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [for short, 'Act of 2013'] asserting that their lands in Survey No.102 and 106/4 Jinaral Village, Hukkeri Taluk, Belgavi District is utilized for construction of canal. The writ Court has disposed of this writ petition by the impugned order with directions that read as under:

“ii) A mandamus is issued directing Respondents No.1 to 7 to initiate necessary acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a period of two weeks from now and complete the said process within a



period of eight weeks considering that Petitioners has no objection for the said acquisition to be completed upon due compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as also damages and interest from the date of usage of the property of the Petitioners till date being made available.

- iii) The Chief Secretary, Government of Karnataka, is directed to cause an enquiry into the present matter, as also an enquiry into any other matter where KNNL and or similar organisations have made use of lands of the citizens of the country without completing the acquisition proceedings.*
- iv) An affidavit and report of the Chief Secretary to be filed within six weeks from now.”*



2. Sri K. Shashi Kiran Shetty, the learned Advocate General, on the previous hearing date [on 12.03.2026] was categorical in stating that proceedings for initiation of acquisition of the petitioner's land [as used] is begun and the acquisition proceedings will be completed within the timelines contemplated under Act of 2013. The learned Advocate General was also categorical that the appellants' grievance is confined to the directions issued by the writ Court for an inquiry on whether the Karnataka Neeravari Nigam Limited and other similar organizations have utilized citizens' lands without completing acquisition proceedings.

3. Sri K. Shashi Kiran Shetty, who is supported by Sri J.M. Gangadhar, the learned Additional Advocate General, reiterating these earlier submissions canvasses that an inquiry of the nature that is directed by the writ Court could only be in a cause espousing public interest and not in a



repetition where a personal right is asserted. In fact, their further submissions are that the proceedings for initiating the acquisition under the Act of 2013 is begun in due deference to the writ Court's directions notwithstanding the other circumstances which could justify the State Government's case that the contesting respondents themselves have agreed for construction of a canal for better utilization of their other lands.

4. This Court has permitted service of copies on the learned counsel who was on record for the contesting respondents, but none appears. This Court has considered all the circumstances above to examine:

Whether there must be a limited interference with the writ Court's order directing an inquiry not just into the circumstances on which the contesting respondents' land is used by M/s. Karnataka Neeravari Nigam Ltd., but also the possibility of other lands



being similarly used by M/s. Karnataka Neeravari Nigam Limited and other organizations.

5. The core issue in the writ petition is the contesting respondents' right to receive compensation for their land, and this stands resolved with the State Government being categorical in these proceedings that, notwithstanding certain circumstances, the proceedings initiated for acquisition of the contesting respondents' lands after the writ Court's order would be completed within the timelines provided under the Act of 2013. This Court concludes that in the peculiarities of the case and the submissions that the writ Court was not considering a common cause, the contesting respondents' grievance would be redressed resulting in vindication of their rights if the entire proceeding [*including deposit upon award being drawn*] are completed by the end of December 2026. This exercise must be completed must be subject to further remedies that may be available to the



contesting respondents under the Act of 2013. This Court also finds that if the contesting respondents' rights are so vindicated, there would be no cause for a further direction as the contesting respondents' grievance forms the fulcrum for the writ proceedings.

6. Hence, the Writ Appeal is favoured setting aside, and the following directions by the writ Court are dissolved calling upon the State and its Officers to complete the acquisition proceedings including the deposit of the amount determined before the end of December 2026.

“iii] The Chief Secretary, Government of Karnataka, is directed to cause an enquiry into the present matter, as also an enquiry into any other matter where KNNL and or similar organisations have made use of lands of the citizens of the country without completing the acquisition proceedings, and



*iv) An affidavit and report of the Chief
Secretary to be filed within six weeks from
now.”*

Sd/-
(B.M. SHYAM PRASAD)
JUDGE

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

RSH / CT: ASC
List No.: 2 Sl No.: 14