



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH 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. 100152 OF 2026 (LA-RES)

BETWEEN:

KARNATAKA NEERAVARI NIGAM LIMITED,
4TH FLOOR, COFFEE BOARD BUILDING
NO.1, DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
REPRESENTED BY ITS
AUTHORIZED SIGNATORY,
EXECUTIVE ENGINEER,
SINGATALUR LIFT IRRIGATION SCHEME,
DIVISION NO.2, KNNL,
HUVINAHADAGALI - 583 219.

... APPELLANT

(BY SRI. CHETAN MUNNOLI, ADVOCATE)

Digitally signed
by VISHAL
NINGAPPA
PATIL

Location: High
Court of
Karnataka,
Dharwad
Bench

AND:

1. SANGANNAGALA BASAVARAJU
S/O. SANGANNAGALA BASAPPA,
AGED ABOUT 57 YEARS,
OCC: NOT KNOWN,
R/O: NO.459, WARD NO.1,
HARAKABHAVI VILLAGE - 583 126,
TQ: KUDLIGI, DIST: BALLARI.
2. THE STATE OF KARNATAKA,
BY ITS CHIEF SECRETARY,



VIDHANA SOUDHA,
BENGALURU - 560 001.

3. THE DEPUTY COMMISSIONER,
VIJAYANAGAR DISTRICT,
HOSPETE - 583 201.
4. THE SPECIAL LAND ACQUISITION
OFFICER, SLIS,
HUVINAHADAGALI - 583 219,
VIJAYANAGARA DISTRICT.

... RESPONDENTS

(BY SRI. G.SHANKAR, ADVOCATE FOR C/R1,
SRI. SHARAD V. MAGADUM, AGA FOR R2 TO R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4
OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO,
SET ASIDE THE INTERIM ORDER DATED 17.02.2026
PASSED IN WP NO.105816/2025 (LA-RES) BY THE
LEARNED SIGNAL JUDGE, IN THE INTEREST OF
JUSTICE AND EQUITY OR GRANT SUCH OTHER RELIEF
AS THIS HON'BLE COURT DEEMS FIT IN THE INTEREST
OF JUSTICE AND EQUITY.

THIS WRIT APPEAL, COMING ON FOR
PRELIMINARY HEARING 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: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD)

The appellant, a State Government undertaking, is aggrieved by the interim orders granted by the writ Court at the first respondent's instance in W.P. No.105816/2025. The writ Court, by the impugned order dated 17.02.2026 has directed the appellant to deposit a sum of Rs.61,13,760/- within three [3] weeks from the date of its order, reserving liberty to the first respondent to withdraw the amount.

2. The writ Court, after referring to the earlier interim order dated 29.08.2025 directing the Chief Secretary of the Government of Karnataka, to look into the first respondent's case that his land is utilized for public utility without actual acquisition and that it is not a stray case, has opined that the Chief Secretary's Note indicates that the dispute is over whether solatium is payable when the land is utilized based on the landowner's consent and that



there can be no dispute about the liability to pay a sum of Rs.61,13,760/-.

3. The writ Court has recorded the rival case briefly thus.

“Learned counsel for the petitioner submits that way back in the year 2022, the land of the petitioner to an extent of 53 cents is utilized by the respondents for laying the pipeline and in the interregnum, several deliberations were held. It is stated that as per the Deputy Commissioner's order, the petitioner is entitled to Rs.1,22,27,520/-. On the request made by respondent No.3, the said amount is reduced to Rs.61,13,760. It is the grievance of the petitioner that he is entitled for solatium.

2. A co-ordinate Bench of this Court on 29.08.2025 had passed an order asking Chief Secretary to the Government of Karnataka to look into these matters and take appropriate action, since the conduct of respondent No.3 would have a very big bearing on the reputation of the State Government. Pursuant to the said order, a memo was filed before this Court placing the note of the Chief Secretary, wherein it is observed that there is



no provision of the direct purchase or payment of solatium under Section 30 of the Land Acquisition Act, 1894 (for short, 'LA Act'), as such, requested for removal of 100% solatium of Rs.61,13,760/-.

4. The writ Court's reasoning to direct the third Respondent to deposit an amount of Rs.61,13,760/- within four [4] weeks and reserve liberty to the first respondent to withdraw the said amount is thus.

6. *Having heard the counsels on either side, at this stage, as far as an amount of Rs.61,13,760/- is concerned, there is no dispute between the parties. The whole dispute is with regard to the solatium. According to the petitioner, they have been given compensation for 19 cents, whereas acquired land is 53 cents. Leaving all the merits of the matter open, subject to outcome of this petition, in the interest of the petitioner, as his land is utilized for some other purpose, this Court deems it appropriate to pass the following:*



5. Sri Chetan Munnoli and Sri G. Shankar are heard, and the following are discerned as the disputed facts.

[a] The appellant asserts that it has utilized 19 cents of the petitioner's property for the purposes of laying pipe and providing other amenities. The first respondent asserts that the appellant has utilized 53 cents of his property.

[b] The first respondent asserts that he is entitled not just the value of the property but also for solatium even when utilization is without acquisition as contemplated under the relevant enactment in force as of the date of utilization but the appellant asserts because the utilization is based on consent, the



first respondent is not entitled for solatium.

6. These two circumstances point out the controversy for decision in the matter which is still pending before the writ Court. Initially, the Deputy Commissioner in a meeting convened to resolve the dispute over the amount paid / payable had opined that the appellant will have to pay a total sum Rs.1,22,27,520/- for the extent of 764.22 square metres and this extent is even lower than the extent admitted by the appellant. According to the appellant, it has utilized not 52 cents.

7. This Court has repeatedly tried to ascertain from Mr. Chetan Munnoli whether there could be any dispute about even the value of 764.22 square meters and the learned counsel is not able to persuade this Court to opine that the value, even without solatium of 764.22 square meters, would be



below Rs.61,13,760/-. These circumstances persuade this Court to examine the appellant's grievance with the impugned order insofar as it reserves liberty to withdraw the amount as and when.

8. These circumstances and the undisputed fact that the first respondent has lost the utility of the land and has not received any amount so far congeal, in this Court's considered opinion, to a reasonable opinion that the writ Court's order permitting the first respondent to withdraw the amount is just and fair and does not call for any interference especially when the writ Court has opined that all questions are left open to be considered. This Court also observes that the amount of Rs.61,13,760/- would be the minimum that would be payable by the appellant irrespective of the dispute over the first respondent's claim for solatium.



Hence, the appeal is rejected reiterating the impugned order in its entirety observing that the amount withdrawn by the first respondent will be part of any amount that would be decided ultimately as payable to the first respondent.

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

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

RSR / CT: ASC
List No.: 2 Sl No.: 6