

MFA NO. 105092/2024 (LAC)

Connected Cases: MFA NO. 105096/2024, MFA NO. 105097/2024, MFA NO. 105136/2024, MFA NO. 105514/2024, MFA NO. 105515/2024, MFA NO. 100742/2025, MFA NO. 100743/2025, MFA NO. 100746/2025, MFA NO. 100754/2025

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

[THE ASSISTANT COMMISSIONER AND ANOTHER VS.
YALLAPPA BASAPPA KUNCHANOR]

12.03.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

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

ORAL ORDER

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

Sri Keshava Reddy, the learned Additional Government Advocate, and Sri Basava Prabhu S. Patil, the learned Senior Counsel, who leads the learned counsels on record for the appellants, have taken this Court preliminarily through the circumstances leading to the present batch of appeals.

Sri Keshava Reddy canvasses that the subject lands cannot be treated on par with the properties within erstwhile Mudhol TMC limits with Sri Basu Prabhu S. Patil canvassing that these abut lands developed as industrial area with a university, a factory, and a residential layout in the

immediate vicinity about two to three decades prior to the notification. Sri Basava Prabhu S. Patil also emphasizes that though the reference Court's impugned judgment and award is in the year 2023 but no amount is deposited despite the land losers levying enforcement proceedings and this is despite there being no interim order in favour of the State.

Prima facie the questions that have to be considered at this stage are:

[a] *Whether there must be any interim order staying the reference Court's impugned judgment and award, and if it is to be stayed, the terms upon which such stay must be, and*

[b] *Whether this Court can opine that the evidence now on record would suffice for a just decision on the market value for the purposes of determination of compensation under the 2013 enactment and if the Court opines that the evidence is not complete, the further orders that must be.*

For elaboration on these two aspects, and as requested, Office is directed to list these appeals on **26.03.2026** at **02:30 p.m.**

(B.M.SHYAM PRASAD)
JUDGE

(SHIVASHANKAR AMARANNAVAR)
JUDGE

Rsh
List No.: 3 Sl No.: 31