



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.I.ARUN

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

MISCELLANEOUS FIRST APPEAL NO.100086/2024 (AA)
C/W

MISCELLANEOUS FIRST APPEAL NOS. 105458/2023,
105460/2023 , 105463/2023, 100108/2024, 100109/2024,
100211/2024, 100212/2024, 100213/2024, 100307/2024,
100336/2024, 100377/2024, 100378/2024, 100379/2024,
100380/2024, 100381/2024, 100418/2024, 100419/2024 (AA)

IN MFA No. 100086/2024

BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

... APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI &
SRI. MADHUMURTHY G.K., ADVS (APPEARED THROUGH V.C.)]

AND:

1. MR. T. YOUNIS S/O. HAJI T. AMEER,
AGE. MAJOR,
RESIDING BESIDE SASYA SHAMAL SCHOOL,
SANKALAPURA, HOSPET,
DIST: VIJAYANAGARA – 583 201.
2. THE ARBITRATOR AND
ADDITIONAL DEPUTY COMMISSIONER,





**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

BALLARI DISTRICT,
HUNGUND - HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER
AND DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA – 583 101.

3. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPPO. GANGAPARAMESHWARI KALYANI MANTAPA,
VIDYANAGAR, BALLARI, KARNATAKA – 583 104,
REPRESENTED BY ITS
SPECIAL LAND ACQUISITION OFFICER.

... RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM, ADV. FOR C/R1;
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND
CONCILIATION ACT, 1996, CALL FOR THE LOWER COURT RECORDS
IN A.A.23/2022 ON THE FILE OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT BALLARI; SET ASIDE THE JUDGMENT DATED
07TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT BALLARI AT ANNEXURE – A; SET ASIDE THE
DECREE DATED 17TH OCTOBER 2023 PASSED BY THE PRINCIPAL
DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE – B;
CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 04TH
JULY 2022 PASSED BY THE 2ND RESPONDENT IN CASE NO. LAQ/
ARBITRATION/ 07(29)/2012-13 AND LAQ-ARBITRATION/968/2013-
14 C/W LAQ- ARBITRATION/ 972/2013-14 AT ANNEXURE – D TO
MEET THE ENDS OF JUSTICE; CONFIRM THE ARBITRAL AWARD
DATED 14TH OCTOBER 2015 PASSED BY THE 2ND RESPONDENT IN
CASE NO.LAQ/ARBITRATION/07(29)/2012-13 AND LAQ
ARBITRATION/ 967/2013-14 C/W **LAW-** ARBITRATION / 972/ 2013-
14 AT ANNEXURE – C TO MEET THE ENDS OF JUSTICE AND ETC.,

IN MFA NO. 105458/2023
BETWEEN:

SRI. T. YUNIS ALIAS UNEES T. AMEER SAB,
AGE: 54 YEARS, OCC: AGRICULTURIST,
R/O: WHITE HOUSE RING ROAD,
BESIDE SASYA SHAMALA SCHOOL,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

SANKALAPUR, HOSAPETE – 583 201,
VIJAYANAGARA DISTRICT.

...APPELLANT

(BY SMT. ARCHANA A. MAGADUM., ADV. FOR
SRI. ANANDKUMAR A. MAGADUM,
SRI. CHANDAN GOWDA, SRI. VARUN GOWDA, ADVS.)

AND:

1. THE COMPETENT AUTHORITY,
AND SPL. LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA,
VIDYANAGAR, 5TH CROSS, 4TH MAIN ROAD,
OPPOSITE GANGAMMA TEMPLE,
BALLARI DISTRICT – 583 275.
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT,
HOSAPETE, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, BEHIND RTO OFFICE,
HOSAPETE – 583 104,
REPRESENTED BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT, BALLARI
D.C. COMPOUND, BALLARI – 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
APPEARED THROUGH VC
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS AND SET ASIDE THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 12/2022 DATED 25.09.2023 AND TO SET ASIDE THE AWARD AND DECREE PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF INDIA, BALLARI/ RESPONDENT NO. 3 IN CASE NO. LAQ/ARB/7(972) 2013-14 DATED 04.07.2022. TO CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50% OVER AND ABOVE THE MARKET VALUE AS PER CVC GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND
RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF
AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 105460/2023
BETWEEN:

SRI. T. YUNIS ALIAS UNEES T. AMEER SAB,
AGE: 54 YEARS, OCC: AGRICULTURIST,
R/O: WHITE HOUSE RING ROAD,
BESIDE SASYA SHAMALA SCHOOL,
SANKALAPUR, HOSAPETE – 583 201,
VIJAYANAGARA DISTRICT.

...APPELLANT

(BY SMT. ARCHANA A. MAGADUM., ADV. FOR
SRI. ANANDKUMAR A. MAGADUM,
SRI. CHANDAN GOWDA, SRI. VARUN GOWDA, ADVS.)

AND:

1. THE COMPETENT AUTHORITY &
SPL. LAND ACQUISITION OFFICER NATIONAL HIGHWAY
AUTHORITY OF INDIA, VIDYANAGAR,
5TH CROSS, 4TH MAIN ROAD, OPPOSITE GANGAMMA
TEMPLE, BALLARI DISTRICT – 583 275.
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT,
HOSAPETE, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, BEHIND RTO OFFICE,
HOSAPETE – 583 104,
REPRESENTED BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT, BALLARI,
D.C. COMPOUND, BALLARI – 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
APPEARED THROUGH VC
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS
AND SET ASIDE THE JUDGMENT AND AWARD PASSED BY



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI
IN A.A. NO. 14/2022 DATED 25.09.2023 AND TO SET ASIDE THE
AWARD AND DECREE PASSED BY THE ADDITIONAL DEPUTY
COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY
AUTHORITY OF INDIA, BALLARI/ RESPONDENT NO. 3 IN CASE
NO. LAQ/ARB/7(967) 2013-14 DATED 04.07.2022. TO
CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50%
OVER AND ABOVE THE MARKET VALUE AS PER CVC
GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS
AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION
TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND
RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF
AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 105463/2023
BETWEEN:

SRI. T. YUNIS ALIAS UNEES T. AMEER SAB,
AGE: 54 YEARS, OCC: AGRICULTURIST,
R/O: WHITE HOUSE RING ROAD,
BESIDE SASYA SHAMALA SCHOOL,
SANKALAPUR, HOSAPETE – 583 201,
VIJAYANAGARA DISTRICT.

...APPELLANT

(BY SMT. ARCHANA A. MAGADUM., ADV. FOR
SRI. ANANDKUMAR A. MAGADUM,
SRI. CHANDAN GOWDA,
SRI. VARUN GOWDA, ADVS.)

AND:

1. THE COMPETENT AUTHORITY &
SPL. LAND ACQUISITION OFFICER NATIONAL
HIGHWAY AUTHORITY OF INDIA, VIDYANAGAR,
5TH CROSS, 4TH MAIN ROAD,
OPPOSITE GANGAMMA TEMPLE,
BALLARI DISTRICT – 583 275.
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT,
HOSAPETE, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
REPRESENTED BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

UNDER NATIONAL HIGHWAYS ACT, BALLARI,
D.C. COMPOUND, BALLARI – 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
APPEARED THROUGH VC
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS AND SET ASIDE THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 13/2022 DATED 25.09.2023 AND TO SET ASIDE THE AWARD PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF INDIA, BALLARI/ RESPONDENT NO.3 IN CASE NO. LAQ/ARB/7(968) 2013-14 DATED 04.07.2022. TO CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50 % OVER AND ABOVE THE MARKET VALUE AS PER CVC GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 100108/2024
BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

...APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI & SRI. MADHUMURTHY G.K.,
SMT. SHILPA SHAH, ADVS (APPEARED THROUGH V.C.)]

AND:

1. MR. T. YOUNIS S/O. HAJI T. AMEER,
AGED MAJOR,
RESIDING BESIDE SASYA SHAMAL SCHOOL,
SANKALAPURA, HOSPET,
DIST: VIJAYANAGARA – 583 201.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

2. THE ARBITRATOR AND
ADDITIONAL DEPUTY COMMISSIONER,
BELLARI DISTRICT, HUNGUND - HOSPET SECTION
(NH-13), OFFICE OF THE DEPUTY COMMISSIONER
AND DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA – 583 101.
3. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPPO. GANGAPARAMESHWARI KALYANI MANTAPA,
VIDYANAGAR, BALLARI, KARNATAKA – 583 104,
REPRESENTED BY ITS
SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM, ADV. FOR C/R1;
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, CALL FOR THE LOWER COURT RECORDS IN A.A.22/2022 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI; SET ASIDE THE JUDGMENT DATED 07TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE – A; SET ASIDE THE DECREE DATED 17TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE – B; CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 04TH JULY 2022 PASSED BY THE 2ND RESPONDENT IN CASE NO. LAQ/ ARBITRATION/ 07(23)/2012-13 AND LAQ-ARBITRATION/967/2013-14 AT ANNEXURE – D TO MEET THE ENDS OF JUSTICE; CONFIRM THE ARBITRAL AWARD DATED 14TH OCTOBER 2015 PASSED BY THE 2ND RESPONDENT IN CASE NO.LAQ/ARBITRATION/07(23)/2012-13 AND LAQ ARBITRATION/ 967/2013-14 AT ANNEXURE – C TO MEET THE ENDS OF JUSTICE AND ETC.,

IN MFA NO. 100109/2024
BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

...APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI & SRI. MADHUMURTHY G.K.,
SMT. SHILPA SHAH, ADVS (APPEARED THROUGH V.C.)]

AND:

1. SMT. DASANAL MALLAMMA
W/O. LATE DASANAL MALLAPPA
AGED MAJOR.
2. SRI. DASANAL SHANKARAPPA
S/O. LATE DASANAL MALLAPPA,
AGED MAJOR.
3. SMT. LAXMI DEVI W/O. BHARAMAPPA,
AGE-MAJOR.
4. SMT. DASANAL RENUKA
D/O. LATE DASANAL MALLAPPA,
AGED MAJOR.
5. SRI. DASANAL HANUMANTHAPPA
S/O. LATE DASANAL MALLAPPA,
AGED MAJOR.
6. SMT. DASANAL NIRMALA
D/O. LATE DASANAL MALLAPPA,
AGED MAJOR,

RESPONDENTS NO.1 TO 6 ARE LEGAL REPRESENTATIVES
OF LATE DASANAL MALLAPP AND ARE RESIDING AT
WARD NO.18, SRIRAMULANAGARA,
CHAPPARADAHALLY ROAD, HOSPET,
VIJAYANAGARA DISTRICT – 583 201.

7. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER, BALLARI DISTRICT,
HUNGUND - HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER
& DISTRICT MAGISTRATE, OPPOSITE RAILWAY
STATION, BALLARI – 583 101, KARNATAKA.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

8. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY,
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPP. GANGAPARAMESHWARI KALYANI MANTAPA,
VIDYANAGAR, BALLARI – 583 104,
REPRESENTED BY ITS SPECIAL LAND
ACQUISITION OFFICER.

... RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM, ADV. FOR C/R1 TO R6;
SRI. SHARAD V. MAGADUM, AGA FOR R7;
SRI SHIVASAI M. PATIL, ADV. FOR R8)

THIS MFA IS FILED U/S.37(1)(C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO CALL FOR THE LOWER
COURT RECORDS IN A.A.02/2023 ON THE FILE OF THE
PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI. TO
SET ASIDE THE JUDGMENT DATED 07TH OCTOBER 2023 PASSED
BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI
AT ANNEUXRE-A TO SET ASIDE THE DECREE DATED 18TH
OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE AT BALLARI AT ANNEXURE-B TO
CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 11TH
AUGUST 2022 PASSED BY THE 7TH RESPONDENT IN CASE
NO.LAQ-ARBITRATION/07(39)/2012-13 AND LAQ-ARBITRATION/
971/ 2013-14 AT ANNEXURE-D, TO MEET THE ENDS OF
JUSTICE. TO CONFIRM THE ARBITRAL AWARD DATED 14TH
OCTOBER 2015 PASSED BY THE 7TH RESPONDENT IN CASE NO.
LAQ-ARBITRATION/07(39)/2012-13 AND LAQ-AARBITRATION/
971/2013-14 AT ANNEXURE-C, TO MEET THE ENDS OF JUSTICE
AND ETC.,

IN MFA NO. 100211/2024
BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

...APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI & SRI. MADHUMURTHY G.K.,
SMT. SHILPA SHAH, ADVS (APPEARED THROUGH V.C.)]



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

AND:

1. SMT. RENUKA GUJJAL W/O. LATE SHIVARAM GUJJAL,
AGE. 65 YEARS.
2. SMT. MANJULA KATTI D/O. LATE SHIVARAM GUJJAL.
AGE. 48 YEARS.
3. SRI. MANJUNATH GUJJAL D/O. LATE SHIVARAM GUJJAL.
AGE. 46 YEARS.
4. SRI. DHARMAVEER GUJJAL D/O. LATE SHIVARAM GUJJAL,
AGE. 42 YEARS.
5. SRI. MAHESH GUJJAL D/O. LATE SHIVARAM GUJJAL,
AGE. 41 YEARS.

R-1 TO 5 ARE LEGAL REPRESENTATIVES
OF LATE SHIVARAM GUJJAL AND ARE RESIDING AT
R/O. WARD NO.32, A.C. OFFICE ROAD,
VALMIKI CIRCLE, HOSPET,
VIJAYANGAR DISTRICT – 583 201.

6. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER, BALLARI DISTRICT,
HUNGUND HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER,
AND DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA – 583 101.
7. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY,
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPPO. GANGAPARAMESHWARI KALYAN MANTAPA
VIDYANAGAR, BALLARI, KARNATAKA – 583 104,
REPRESENTED BY ITS
SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM &
SRI. VARUN GOWDA & SRI. CHANDAN GOWAD,
ADVS. FOR C/R1 TO R5;
SRI. SHARAD V. MAGADUM, AGA FOR R6;
SRI SHIVASAI M. PATIL, ADV. FOR R7)



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO CALL FOR THE LOWER COURT RECORDS IN A.A.01/2023 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI. TO SET ASIDE THE JUDGMENT DATED 13TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-A. TO SET ASIDE THE DECREE DATED 18TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-B. TO CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 11TH AUGUST 2022 PASSED BY THE 6TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(44)/2012-13 AND LAQ-ARBITRATION/970/ 2013-14 AT ANNEXURE-D, TO MEET THE ENDS OF JUSTICE. TO CONFIRM THE ARBITRAL AWARD DATED 14TH OCTOBER 2015 PASSED BY THE 6TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(44)/2012-13 AND LAQ ARBITRATION/970/2013-14 AT ANNEXURE-C, TO MEET THE ENDS OF JUSTICE AND ETC.,

IN MFA NO. 100212/2024
BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

...APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI & SRI. MADHUMURTHY G.K.,
SMT. SHILPA SHAH, ADVS (APPEARED THROUGH V.C.)]

AND:

1. SMT. DASANAL MALLAMMA
W/O LATE DASANAL MALLAPPA
AGED MAJOR.
2. SRI. DASANAL SHANKARAPPA
S/O. LATE DASANAL MALLAPPA,
AGED MAJOR.
3. SMT. L. B LAKSHMI DEVI
D/O. LATE DASANAL MALLAPPA,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

AGED MAJOR.

4. SMT. DASANAL RENUKA
W/O. BHARAMAPPA,
AGED MAJOR.
5. SRI. DASANAL HANUMANTHAPPA
S/O. LATE DASANAL MALLAPPA,
AGED MAJOR.
6. SMT. DASANAL NIRMALA
D/O. LATE DASANAL MALLAPPA,
AGED MAJOR.

RESPONDENTS NO. 1-6 ARE LEGAL REPRESENTATIVES
OF LATE DASANAL MALLAPPA
RESIDING AT. WARD NO. 18
SRIRAMULUNAGARA, CHAPPARADAHALLY ROAD,
HOSPET, BALLARI DIST - 583 201.

7. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER, BALLARI DISTRICT,
HUNGUND - HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER
AND DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA - 583 101.
8. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY ,
NATIONAL HIGHWAYS AUTHORITY
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPPO. GANGAPARAMESHWRI KALYANI MANTAPA
VIDYANAGAR, BALLARI - 583 104,
KARNATAKA, REPRESENTED BY THE SPECIAL LAND
ACQUISITION OFFICER.

... RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM ADV. FOR C/R1 TO R6;
SRI. SHARAD V. MAGADUM, AGA FOR R7;
SRI SHIVASAI M. PATIL, ADV. FOR R8)

THIS MFA IS FILED U/S.37(1) (c) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO CALL FOR THE LOWER



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

COURT RECORDS IN A.A.25/2022 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI. TO SET ASIDE THE JUDGMENT DATED 13TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-A. TO SET ASIDE THE DECREE DATED 18TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-B. TO CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 11TH AUGUST 2022 PASSED BY THE 7TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(35)/2012-13 AND LAQ-ARBITRATION/07/ 971/2013-14 AT ANNEXURE-D, TO MEET THE ENDS OF JUSTICE. TO CONFIRM THE ARBITRAL AWARD DATED 14TH OCTOBER 2015 PASSED BY THE 7TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(35)/2012-13 AND LAQ-ARBITRATION/07/971/ 2013-14 AT ANNEXURE-C, TO MEET THE ENDS OF JUSTICE AND ETC.,

IN MFA NO. 100213/2024
BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PIU-HOSPET, C-10, SHREE NILAYAM,
1ST MAIN, 2ND CROSS, VIVEKANANDA NAGAR,
BEHIND RTO OFFICE, HOSPET – 583 201,
REPRESENTED BY ITS PROJECT DIRECTOR.

...APPELLANT

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI &
SRI. MADHUMURTHY G.K., ADVS
(APPEARED THROUGH V.C.)]

AND:

1. SRI. SATYA NARAYANA
S/O. LATE JAMBANAHLI VENKOBANNA,
AGE. MAJOR.
2. SRI. J. HANUMESH
S/O. LATE JAMBANAHALI VENKOBANNA,
AGE. MAJOR.
3. SMT. AMBUJA
D/O. LATE JAMBANAHALI VENKOBANNA,
AGE. MAJOR.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

4. SMT. SEETHAMMA
D/O. LATE JAMBANAHALLI VENKOBANNA,
AGE. MAJOR.
5. SRI. J. MANJUNATH
S/O. LATE JAMBANAHALLI VENKOBANNA,
AGE. MAJOR.
6. DR. GOVINDA RAJ
S/O. LATE JAMBANAHALLI VENKOBANNA,
AGE. MAJOR.

RESPONDENTS NO.1 TO 6 ARE LEGAL REPRESENTATIVES
OF LATE JAMBANAHALLI VENKOBANNA
AND ARE RESIDING AT WARD NO.17/33,
A.C. OFFICE ROAD, JAMNANAHALLI KERI,
HOSAPETE, VIJAYANAGARA DIST - 583 201.

7. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER, BALLARI DISTRICT,
HUNGUND - HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER
AND DISTRICT MAGISTRATE
OPPOSITE RAILWAY STATION
BALLARI, KARNATAKA - 583 101.
8. THE SPECIAL LAND ACQUISITION AND
COMPETENT AUTHORITY,
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPPO. GANGAPARAMESHWARI KALYANI MANTAPA,
VIDYANAGAR, BALLARI - 583 104,
KARNATAKA, REPRESENTED BY ITS
SPECIAL LAND ACQUISITION OFFICER.

... RESPONDENTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM &
SRI. VARUN GOWDA & SRI. CHANDAN GOWAD,
ADVS. FOR C/R1 TO R6;
SRI. SHARAD V. MAGADUM, AGA FOR R7;
SRI SHIVASAI M. PATIL, ADV. FOR R8)

THIS MFA IS FILED U/S. 37(1)(C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO CALL FOR THE LOWER
COURT RECORDS IN A.A.24/2022 ON THE FILE OF THE



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI. TO SET ASIDE THE JUDGMENT DATED 13TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-A. TO SET ASIDE THE DECREE DATED 13TH OCTOBER 2023 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT BALLARI AT ANNEXURE-B. TO CONSEQUENTLY, SET ASIDE THE ARBITRAL AWARD DATED 11TH AUGUST 2022 PASSED BY THE 7TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(07)/2012-13 AN LAQ-ARBITRATION/ 969/ 2013-14 AT ANNEXURE-D, TO MEET THE ENDS OF JUSTICE. TO CONFIRM THE ARBITRAL AWARD DATED 14TH OCTOBER 2015 PASSED BY THE 7TH RESPONDENT IN CASE NO. LAQ-ARBITRATION/07(07)/2012-13 AND LAQ-ARBITRATION/ 969/ 2013-14 AT ANNEXURE-C, TO MEET THE ENDS OF JUSTICE AND ETC.,

IN MFA NO. 100307/2024
BETWEEN:

SRI. SHIVARAM GUJJAL BY HIS LRs.,

1. DHARMAVEER GUJJAL S/O. SHIVARAM GUJJAL,
AGE: 43 YEARS, OCC: DOCTOR,
R/O: WARD NO.33, A.C. OFFICE ROAD,
VALMIKI CIRCLE, HOSAPETE VILLAGE,
VIJAYANAGARA DISTRICT - 583 201.
2. RENUKA GUJJAL
W/O. LATE SHIVARAM GUJJAL,
AGE. 66 YEARS, OCC. HOUSEHOLD,
R/O. WARD NO.33, A.C. OFFICE ROAD,
VALMIKI CIRCLE, HOSAPETE VILLAGE,
VIJAYANAGARA DISTRICT - 583 201.
3. MANJUNATH GUJJAL S/O. SHIVARAM GUJJAL,
AGE. 47 YEARS, OCC. AGRICULTURIST,
R/O. WARD NO.33, A.C. OFFICE ROAD,
VALMIKI CIRCLE, HOSAPETE VILLAGE,
VIJAYANAGARA DISTRICT - 583 201.
4. MANJULA KATTI W/O. RAGHAVENDRA KATTI,
AGE. 49 YEARS, OCC. HOUSEHOLD,
R/O. MITRA SADAN, WARD NO.28,
8TH CROSS, 1ST MAIN, M.J. NAGAR,
HOSAPETE.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

5. MAHESH GUJJAL S/O. SHIVARAM GUJJAL,
AGE. 42 YEARS, OCC. DOCTOR,
R/O. WARD NO.33, A.C. OFFICE ROAD,
VALMIKI CIRCLE, HOSAPETE VILLAGE,
VIJAYANAGARA DISTRICT – 583 201.

APPELLANT NO.2 to 5 R/BY THEIR
G.P.A. HOLDER PETITIONERS NO.1.

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. THE COMPETENT AUTHORITY &
SPL. LAND ACQUISITION OFFICER,
NATIONAL HIGHWAY AUTHORITY OF INDIA
VIDYANAGAR, 5TH CROSS, 4TH MAIN ROAD,
OPPOSITE GANGAMMA TEMPLE,
BALLARI DISTRICT – 583 275.
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSAPETE,
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT, BALLARI,
DC COMPOUND, BALLARI – 583 103.

...RESPONDENTS

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS IS MFA IS FILED UNDER SECTION 37(1) (C) CALL FOR
RECORDS AND PARTIALLY SET ASIDE THE JUDGMENT AND
AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND
SESSION JUDGE, BALLARI IN A.A.NO.8/2022 DATED 09.10.2023
AND TO PARTIALLY SET ASIDE THE AWARD AND DECREE
PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND
ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

INDIA, BALLARI/RESPONDENT NO.3 IN CASE
NO.LAQ/ARB/7(970)2013-14 DATED 11.08.2022. GRANT
ADDITIONAL COMPENSATION OF 50% OVER AND ABOVE THE
MARKET VALUE AS PER CVC GUIDELINES. AWARD INTEREST
FROM DATE OF AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 100336/2024
BETWEEN:

1. DASANAL MALLAMMA W/O. DASANAL MALLAPPA,
AGED ABOUT 58 YEARS, OCC. HOUSEHOLD.
2. DASANAL SHANKARAPPA
S/O. LATE DASANAL MALLAPPA,
AGED ABOUT 48 YEARS, OCC. AGRICULTURE.
3. L.B. LAXMIDEVI W/O. BHARAMAPPA,
AGED ABOUT 47 YEARS, OCC. HOUSEHOLD.
4. DASANAL RENUKA W/O. BHARAMAPPA,
AGED ABOUT 35 YEARS,
OCC. HOUSEHOLD.
5. DASANAL HANUMANTHAPPA
S/O. LATE DASANAL MALLAPPA,
AGED ABOUT 44 YEARS,
OCC. AGRICULTURE.
6. SMT. DASANAL NIRMALA
D/O. LATE DASANAL MALLAPPA,
AGED ABOUT 30 YEARS, OCC. HOUSEHOLD.

APPELLANT NO. 1(1 TO 6) ARE THE LEGAL
REPRESENTATIVES OF LATE
DASANAL MALLAPPA,
ALL ARE R/O: 18TH WARD
SRIRAMUNAGARA, CHAPPARADAHALLY ROAD,
HOSAPETE, BALLARI DISTRICT
NOW VIJAYANAGARA DISTRICT
APPELLANT NO. 1 TO 4 AND 6
R/BY THEIR GPA HOLDER APPELLANT NO. 5

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

AND:

1. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSAPETE
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
VIVEKANAND NAGAR, BEHIND RTO OFFICE,
HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
2. THE ARBITRATOR AND ADDITIONAL
DEPUTY COMMISSIONER
BALLARI DISTRICT, HUNGUND-HOSPET
SECTION (NH-13) OFFICE OF THE DEPUTY
COMMISSIONER AND DISTRICT MAGISTRATE
OPP. RAILWAY STATION, BALLARI,
KARNATAKA – 583 101.
3. THE SPL. LAND ACQUISITION OFFICER AND
COMPETENT AUTHORITY,
NATIONAL HIGHWAY AUTHORITY OF INDIA
VIDYANAGAR, 4TH MAIN ROAD, 5TH CROSS,
OPP. GANGAPARMESHWARI
KALYANA MANTAPA,
VIDYANAGAR, BALLARI DISTRICT – 583 275,
R/BY THE SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

[BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R1 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI. SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1)(C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO PARTIALLY SET ASIDE
THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL
DISTRICT AND SESSION JUDGE, BALLARI IN A.A.NO.2/2023
DATED 13.10.2023 BY DELETING OPERATIVE PORTION OF THE
ORDER AND AWARD DATED 13.10.2023 i.e CONSEQUENTLY,
THE AWARD IN REV/LAQ/ARB/7(39) 2012-13 AND
REV/LAQ/ARB/7(971) /2013-14 DATED 11.08.2022 PASSED BY
THE ARBITRATOR IS HEREBY CONFIRMED IN THE INTEREST OF
JUSTICE AND EQUITY AND ETC.,

IN MFA NO. 100377/2024



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

BETWEEN:

SRI. JAMBANALLI VENKOBANNA
S/O. SEETHAMMA BY HIS LRS

1. SATYA NARAYANA
S/O. LATE AMBANALLI VENKOBANNA,
AGED ABOUT 56 YEARS,
OCC. AGRICULTURE,
R/O. H. NO.95, 33RD WARD,
2. J. HANUMESH
S/O. LATE AMBANALLI VENKOBANNA,
AGED ABOUT 54 YEARS,
OCC. AGRICULTURE.
3. AMBUJA
D/O. LATE AMBANALLI VENKOBANNA,
AGED ABOUT 52 YEARS,
OCC. HOUSEHOLD.
4. SEETAMMA
D/O. LATE AMBANALLI VENKOBANNA,
AGED ABOUT 50 YEARS,
OCC. HOUSEHOLD.
NOTE: AFTER MARRIAGE CALL AS
H. SAVITHA W/O. H. ANJANEYA.
5. J. MANJUNATH
S/O. LATE AMBANALLI VENKOBANNA,
AGED ABOUT 48 YEARS, OCC. AGRICULTURE.

ALL ARE LEGAL REPRESENTATIVES OF
LATE JAMBANAHALLI VENKOBANNA,
R/O. WARD NO.17/33, A. C. OFFICE ROAD,
JAMBANAHALLI KERI, HOSAPETE,
BALLARI DISTRICT,
NOW VIJAYANAGARA DISTRICT,
NOW APPELLANT NO.1 TO 5 ARE
R/O. 33RD WARD, NEAR TAYAMMA TEMPLE,
JAMBANALLI KERI, VTC, HOSPET
BALLARI DISTRICT,
NOW VIJAYANAGARA DISTRICT.

6. GOVINDA RAJ S/O. LATE JAMBANALLI VENKOBANNA,
AGED ABOUT 46 YEARS, OCC. DOCTOR,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

R/O: WARD NO.17/33, A.C.OFFICE ROAD,
JAMBAHALLI KERI, HOSAPETE,
BALLARI DISTRICT
NOW VIJAYANAGARA DISTRICT,
NOW R/O. HOUSE NO.60, 4TH CROSS,
NEHARU COLONY, BALLARI.

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSAPETE,
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
2. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER, BALLARI DISTRICT,
HUNGUND-HOSPET SECTION (NH-13),
OFFICE OF THE DEPUTY COMMISSIONER AND
DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA – 583 101.
3. THE SPL. LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY,
NATIONAL HIGHWAY AUTHORITY OF INDIA
VIDYANAGAR, 4TH MAIN ROAD, 5TH CROSS,
OPPOSITE GANGAPRAMESHWARI
KALYANA MANTAPA,
VIDYANAGAR, BALLARI DISTRICT – 583 275,
R/BY THE SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R1 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R2)

THIS MFA IS FILED UNDER SECTION 37(1) (C) PRAYING TO
PARTIALLY SET ASIDE THE JUDGMENT AND AWARD PASSED BY
LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

IN A.A.NO.24/2022 DATED 13.10.2023 BY DELETING OPERATIVE PORTION OF THE ORDER AND AWARD I.E., CONSEQUENTLY, THE AWARD IN REV/LAQ/ARB/7(7)2012-13 & REV/LAQ/ ARB/ 7(369)/ 2013-14 DATED 11.08.2022 PASSED BY THE ARBITRATOR IS HEREBY CONFIRMED IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

IN MFA NO. 100378/2024
BETWEEN:

SRI. DASANAL MALLAPPA S/O. DODDA MALIYAPPA,
R/O. AMARAVATI VILLAGE,
HOSPET TALUK, BELLARY DISTRICT BY HIS LRS.

1. DASANAL MALLAMMA,
AGE. 58, OCC. HOUSEHOLD.
2. DASANAL SHANKARAPPA,
AGE. 48, OCC. AGRICULTURE.
3. L.B. LAXMIDEVI,
AGE. 47, OCC. HOUSEHOLD.
4. DASANAL RENUKA W/O. BHARAMAPPA,
AGE. 35, OCC. AGRICULTURE.
5. DASANAL HANUMANTHAPPA,
AGE. 44, OCC. AGRICULTURE.
6. DASANAL NIRMALA,
AGE. 30, OCC. HOUSEHOLD.

ALL ARE R/O: HOUSE NO.3/1, 18TH WARD S.R.NAGAR,
HOSPTE,
APPELLANTS NO.1 TO 4 & 6 REPRESENTED BY
GPA HOLDER A5 SRI. DASANAL HANUMANTHAPPA.

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. THE COMPETENT AUTHORITY &
SPL. LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

VIDYANAGAR, 5TH CROSS, 4TH MAIN ROAD,
OPP. GANGAMMA TEMPLE, BALLARI DISTRICT – 583 275.

2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSPETE,
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT, BALLARI,
DC COMPOUND, BALLARI – 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1)(C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS AND PARTIALLY SET ASIDE THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 5/2022 DATED 09.10.2023 AND TO PARTIALLY SET ASIDE THE AWARD AND DECREE PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF INDIA, BALLARI/RESPONDENT NO. 3 IN CASE NO. LAQ/ARB/7(971) 2013-14 DATED 11.08.2022. TO CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50% OVER AND ABOVE THE MARKET VALUE AS PER CVC GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 100379/2024
BETWEEN:

1. DASANAL MALLAMMA
W/O. LATE DASANAL MALLAPPA,
AGED ABOUT 58 YEARS,
OCC. HOUSEHOLD.
2. DASANAL SHANKRAPPA



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

S/O. LATE DASANAL MALLAPPA,
AGED ABOUT 48 YEARS,
OCC. AGRICULTURE.

3. L.B. LAXMIDEVI
W/O. BHARAMAPPA,
AGE. 47, OCC. HOUSEHOLD.
4. DASANAL RENUKA
W/O. BHARAMAPPA,
AGE. 35, OCC. HOUSEHOLD.
5. DASANAL HANUMANTHAPPA
S/O. LATE DASANAL MALLAPPA,
AGE. 44, OCC. AGRICULTURE.
6. SMT. DASANAL NIRMALA
D/O. LATE DASANAL MALLAPPA,
AGED ABOUT 30 YEARS,
OCC. HOUSEHOLD.

R1 TO R6) ARE THE LEGAL REPRESENTATIVES OF
LATE DASANAL MALLAPPA
ALL ARE R/O. 18TH WARD
SRIRAMULUANAGAR, CHAAPPARADAHALLY ROAD,
HOSAPETE, BALLARI DISTRICT,
NOW VIJAYANAGAR DISTRICT.
APPELLANT NO. 01 TO 4 AND 6
R/BY THIER G.P.A HOLDER APPELLANT NO. 5

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. NATIONAL HIGHWAYS OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSAPETE
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
VIVEKANAND NAGAR, BEHIND RTO OFFICE,
HOSAPETE – 583 104, VIJAYANAGAR DIST,
R/BY ITS GENERAL MANAGER.
2. THE ARBITRATOR AND ADDITIONAL
DEPUTY COMMISSIONER,
BALLARI DISTRICT, HUNGUND HOSPET
SECTION (NH-13),



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

OFFICE OF THE DEPUTY COMMISSIONER AND
DISTRICT MAGISTRATE,
OPP. RAILWAY STATION,
BALLARI, KARNATAKA.

3. THE SPECIAL LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY,
NATIONAL HIGHWAY AUTHORITY OF INDIA,
4TH MAIN ROAD, 5TH CROSS,
OPP. GANGAPARMESHWARI KALYANA MANTAPA,
VIDYANAGAR, BALLARI DISTRICT - 583 275,
R/BY THE SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R1 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI. SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO, PARTIALLY SET ASIDE
THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL
DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 25/2022
DATED 13.10.2023 BY DELETING OPERATIVE PORTION OF THE
ORDER AND AWARD DATED 13.10.2023 I.E. CONSEQUENTLY
THE AWARD IN REV/LAQ/ARB/7(35)2012-13 AND
REV/LAQ/ARB/7(971)/2013-14 DATED 11.08.2022 PASSED BY
THE ARBITRATOR IS HEREBY CONFIRMED, IN THE INTEREST OF
JUSTICE AND EQUITY AND ETC.,

IN MFA NO. 100380/2024
BETWEEN:

SRI. JAMBANALLI VENKOBANNA
S/O. SEETHAMMA BY HIS LRs.

1. SATYA NARAYANA S/O. J. VENKOBANNA,
AGED ABOUT 56 YEARS, OCC. AGRICULTURE,
R/O. H. NO.95, 33RD WARD,
JANBANALLI KERI, NEAR THAYAMMA TEMPLE,
HOSAPETE.
2. J. HANUMESH S/O. J. VENKOBANNA,
AGED ABOUT 54 YEARS, OCC. AGRICULTURE,
R/O. 33RD WARD, MYASAKERI,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

NEAR THAYAMMA TEMPLE, HOSAPETE.

3. AMBUJA D/O. VENKOBANNA JAMBANALLI,
AFTER MARRIAGE THARIHALLI AMBUJA,
AGED ABOUT 52 YEARS, OCC. HOUSEHOLD,
R/O. 33RD WARD, NEAR VALMIKI SCHOOL,
MYASAKERI, HOSAPETE.
4. SEETAMMA D/O. VENKOBANNA JAMBANALLI,
AFTER MARRIAGE H. SAVITHA W/O. H. ANJANEYA,
AGED ABOUT 50 YEARS,
OCC. HOUSEHOLD,
R/O. 33RD WARD, A.C. OFFICE ROAD,
NEAR TAYAMMA TEMPLE, HOSAPETE.
5. J. MANJUNATH S/O. VENKOBANNA,
AGED ABOUT 48 YEARS,
OCC. AGRICULTURE,
R/O. 33RD WARD, NEAR TAYAMMA TEMPLE,
JAMBANALLI KREI, VTC HOSAPETE.
6. DR. GOVINDA RAJ J S/O. VENKOBANNA J.,
AGED ABOUT 46 YEARS,
OCC. DOCTOR,
R/O. HOUSE NO.60, 4TH CROSS,
NEHARU COLONY, BALLARI.

APPELLANT NO.2 TO 6 R/BY
THEIR G.P.A. HOLDER 1

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. THE COMPETENT AUTHORITY AND
SPL. LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA,
VIDYANAGAR, 5TH CROSS,
4TH MAIN ROAD,
OPPOSITE GANGAMMA TEMPLE,
BALLARI DISTRICT – 583 275 .
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT,



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

HOSAPETE, C-10, SHREE NILAYAM,
1ST MAIN,
2ND CROSS, BEHIND RTO OFFICE,
HOSAPETE - 583 104,
R/BY ITS GENERAL MANAGER.

3. THE DEPUTY COMMISSIONER
AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT,
BALLARI, DC COMPOUND,
BALLARI - 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R2 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS AND PARTIALLY SET ASIDE THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 7/2022 DATED 09.10.2023 AND TO SET ASIDE THE AWARD AND DECREE PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF INDIA, BALLARI/RESPONDENT NO. 3 IN CASE NO. LAQ/ARB/7(969) 2013-14 DATED 11.08.2022. TO CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50% OVER AND ABOVE THE MARKET VALUE AS PER CVC GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 100381/2024
BETWEEN:

SRI. DASANAL MALLAPA S/O. DODDA MALIYAPPA,
R/O: AMRAVATI VILLAGE, HOSPET TALUK,
BALLARI DISTRICT BY HIS LRS.

1. DASANAL MALLAMMA,
AGE. 58, OCC. HOUSEHOLD.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

2. DASANAL SHANKARAPPA,
AGE. 48, OCC. AGRICULTURE.
3. L. B. LAXMIDEVI,
AGE. 47, OCC. HOUSEHOLD.
4. DASANAL RENUKA W/O. BHARAMAPPA,
AGE. 35, OCC. HOUSEHOLD.
5. DASANAL HANUMANTHAPPA,
AGE. 44, OCC. AGRICULTURE.
6. DASANAL NIRMALA
AGE. 30, OCC. HOUSEHOLD,

ALL ARE R/O. HOUSE NO.3/1 18TH WARD
S.R.NAGAR, HOSPET,
APPELLANTS NO. 1 TO 4 & 6 ARE REPRESENTED BY
ITS GPA HOLDER, SRI. DASANAL HANUMANTHAPPA.

...APPELLANTS

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. THE COMPETENT AUTHORITY &
SPL. LAND ACQUISITION OFFICER
NATIONAL HIGHWAY AUTHORITY OF INDIA
VIDYANAGAR, 5TH CROSS, 4TH MAIN ROAD,
OPP. GANGAMMA TEMPLE,
BALLARI DISTRICT – 583 275.
2. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSPETE,
C-10, SHREE NILAYAM, 1ST MAIN, 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
3. THE DEPUTY COMMISSIONER AND ARBITRATOR
UNDER NATIONAL HIGHWAYS ACT, BALLARI, DC
COMPOUND, BALLARI – 583 103.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

SRI. RAKESH M. BILKI, ADV. FOR R2 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R3;
SRI. SHIVASAI M. PATIL, ADV. FOR R1)

THIS MFA IS FILED U/S.37(1) (C) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO, CALL FOR RECORDS AND PARTIALLY SET ASIDE THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL DISTRICT AND SESSIONS JUDGE, BALLARI IN A.A. NO. 6/2022 DATED 09.10.2023 AND TO PARTIALLY SET ASIDE THE AWARD AND DECREE PASSED BY THE ADDITIONAL DEPUTY COMMISSIONER AND ARBITRATOR UNDER NATIONAL HIGHWAY AUTHORITY OF INDIA, BALLARI/ RESPONDENT NO. 3 IN CASE NO. LAQ/ARB/7(971) 2013-14 DATED 11.08.2022. TO CONSEQUENTLY GRANT ADDITIONAL COMPENSATION OF 50% OVER AND ABOVE THE MARKET VALUE AS PER CVC GUIDELINES. TO CONSEQUENTLY GRANT STATUTORY BENEFITS AND INTEREST UNDER THE RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 AND INTEREST FROM DATE OF AWARD TO PAYMENT REALIZATION AND ETC.,

IN MFA NO. 100418/2024
BETWEEN:

SRI. T. YOUNIS S/O. SRI. HAJI T. AMEER,
AGED ABOUT 54 YEARS, OCC: AGRICULTURIST,
R/O :BESIDE SASYA SHAMALA SCHOOL,
SANKALAPUR, HOSAPETE – 583 201,
VIJAYANAGARA DISTRICT.

...APPELLANT

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)

AND:

1. NATIONAL HIGHWAYS AUTHORITY OF INDIA,
PROJECT IMPLEMENTATION UNIT, HOSAPETE,
C-10, SHREE NILAYAM, 1ST MAIN 2ND CROSS,
BEHIND RTO OFFICE, HOSAPETE 583 104,
R/BY ITS GENERAL MANAGER.
2. THE ARBITRATOR AND ADDITIONAL
DEPUTY COMMISSIONER,
BALLARI DISTRICT,
HUNGUND - HOSPET SECTION (NH-13),



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

OFFICE OF THE DEPUTY COMMISSIONER
AND DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI, KARNATAKA - 583 101.

3. THE SPL. LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY,
NATIONAL HIGHWAY AUTHORITY OF INDIA
VIDYANAGAR, 4TH MAIN ROAD, 5TH CROSS,
OPPOSITE GANGAPRAMESHWARI KALYANA
MANTAPA, VIDYANAGAR,
BALLARI DISTRICT - 583 275,
R/BY THE SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R1 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI. SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1)(C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO PARTIALLY SET ASIDE
THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL
DISTRICT AND SESSION JUDGE, BALLARI IN A.A.NO.23/2022
DATED 07.10.2023 BY DELETING OPERATIVE PORTION OF THE
ORDER AND AWARD I.E. CONSEQUENTLY, THE AWARD IN
REV/LAQ/ARB/7(29)2012-13 AND REV/LAQ/ARB/7(968)/2013-14
AND REV/LAQ/ARB/7(972)/2013-14 AND DATED 04.07.2022
PASSED BY THE ARBITRATOR IS HEREBY CONFIRMED, IN THE
INTEREST OF JUSTICE AND EQUITY AND ETC.,

IN MFA NO. 100419/2024
BETWEEN:

SRI. T. YOUNIS S/O. SRI. HAJI T. AMEER,
AGED ABOUT 54 YEARS,
OCC: AGRICULTURIST,
R/O: BESIDE SASYA SHAMALA
SCHOOL, SANKALAPUR, HOSAPETE - 583 201,
VIJAYANAGARA DISTRICT.

...APPELLANT

(BY SMT. ARCHANA A. MAGADUM, ADV. FOR
SRI. ANANDKUMAR A. MAGADUM., ADV)



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

AND:

1. NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT, HOSAPETE,
C-10, SHREE NILAYAM, 1ST MAIN,
2ND CROSS, VIVEKANAND NAGAR,
BEHIND RTO OFFICE, HOSAPETE – 583 104,
R/BY ITS GENERAL MANAGER.
2. THE ARBITRATOR AND ADDITIONAL DEPUTY
COMMISSIONER,
BALLARI DISTRICT,
HUNGUND HOSPET SECTION (NH-13)
OFFICE OF THE DEPUTY COMMISSIONER AND
DISTRICT MAGISTRATE,
OPPOSITE RAILWAY STATION,
BALLARI KARNATAKA – 583 101.
3. THE SPL. LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY,
NATIONAL HIGHWAY AUTHORITY OF INDIA
4TH MAIN ROAD, 5TH CROSS,
OPPOSITE GANGAPRAMESHWARI KALYANA
MANTAPA, VIDYANAGAR,
BALLARI DISTRICT – 583 275,
R/BY THE SPECIAL LAND ACQUISITION OFFICER.

...RESPONDENTS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR COUNSEL FOR
SRI. RAKESH M. BILKI, ADV. FOR R1 IS
(APPEARED THROUGH V.C.);
SRI. SHARAD V. MAGADUM, AGA FOR R2;
SRI. SHIVASAI M. PATIL, ADV. FOR R3)

THIS MFA IS FILED U/S.37(1)(C) OF ARBITRATION AND
CONCILIATION ACT, 1996, PRAYING TO PARTIALLY SET ASIDE
THE JUDGMENT AND AWARD PASSED BY LEARNED PRINCIPAL
DISTRICT AND SESSION JUDGE, BALLARI IN A.A.NO.22/2022
DATED 07.10.2023 BY DELETING OPERATIVE PORTION OF THE
ORDER AND AWARD I.E. CONSEQUENTLY, THE AWARD IN
REV/LAQ/ARB/7(23)2012-13 AND REV/LAQ/ARB/7(967)/2013-14
DATED 04.07.2022 PASSED BY THE ARBITRATOR IS HEREBY
CONFIRMED, IN THE INTEREST OF JUSTICE AND EQUITY AND
ETC.,



THESE APPEALS, COMING ON FOR FURTHER HEARING THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN
AND
HON'BLE MR. JUSTICE B. MURALIDHARA PAI

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE M.I.ARUN)

The lands, which are the subject matter of the instant appeals, were acquired by the National Highway Authority of India (for short, 'the NHAI'). Both the landlosers as well as the NHAI were not satisfied by the award passed by the Special Land Acquisition Officer, and it resulted in they approaching the Additional Deputy Commissioner, Ballari, who was the designated Arbitrator by virtue of Section 3G(5) of the National Highways Act, 1956 (for short, 'the NH Act'). When the said challenge was made, the Additional Deputy Commissioner, Ballari, had the jurisdiction to try the same. After he had heard the matter and reserved the same for orders, on 08.02.2021, district of Vijayanagara came to be carved out of Ballari District. On 12.04.2022, the Deputy Commissioner, Vijayanagara was appointed as an



Arbitrator for adjudicating the dispute pertaining to the landlosers and the NHA I in respect of the territories which fell within the revenue district of Vijayanagara. The lands concerned come within the revenue district of Vijayanagara. Hence, by virtue of the aforementioned Notifications, the Additional Deputy Commissioner, Ballari became *functus officio* and he had no authority to decide on the issue. However, the impugned orders have been passed on 04.07.2022 and on 11.08.2022 by the Additional Deputy Commissioner, Ballari.

2. The aforementioned impugned orders were challenged under Section 34 of the Arbitration and Conciliation Act, 1996 before the jurisdictional District Judge by the NHA I. The said challenge has been dismissed by the District Court, confirming the order passed by the Additional Deputy Commissioner, Ballari. It is submitted that the landlosers also challenged the arbitral awards in separate proceedings before the same Court under Section 34 of Arbitration and Conciliation Act, 1996. The said



petitions filed for enhancement of compensation also came to be dismissed. Aggrieved by the same, NHAI has preferred M.F.A. Nos.100086/2024, 100108/2024, 100109/2024, 100211/2024, 100212/2024, and 100213/2024. The landlosers have preferred M.F.A. Nos.105458/2023, 105460/2023, 105463/2023, 100307/2024, 100336/2024, 100377/2024, 100378/2024, 100379/2024, 100380/2024, 100381/2024, 100418/2024 and 100419/2024.

3. The case of the NHAI is that the order passed by the Arbitrator is a nullity because it has been passed without jurisdiction and hence, all the orders passed by the Arbitrator as well as the District Court are required to be set aside and the matter should be remanded back to the jurisdictional Deputy Commissioner, Vijayanagara, who is now the jurisdictional Arbitrator.

4. *Per contra*, the counsel for the landlosers submits that though the Additional Deputy Commissioner, Ballari, did not have the jurisdiction to pass an award as



on the date of passing the same, the same has been accepted by the NHA I. It is further submitted that they did not raise the issue before the District Court and, in fact, they have preferred appeals before the District Court, Ballari, instead of District Court at Hosapete. If they intended to take up the said contention, then, in that event, they ought to have filed it before District Court, Hosapete and not District Court at Ballari. It is also submitted that the District Court, Ballari did not pass a common order on the appeals filed by the NHA I and the landlosers, but passed two separate orders, and the NHA I has challenged only the order passed on the application filed by them and not on the application filed by the landlosers. Thus, it is contented that, this amounts to *res judicata* and the NHA I cannot ask for reduction of compensation and the only issue to be decided by this Court is, whether the compensation granted in favour of the landlosers must be enhanced or not.



5. Reliance is placed on the judgment of the Apex Court passed in ***Sri Gangai Vinayagar Temple v. Meenakshi Ammal***¹, wherein, at paragraphs, 8, 9, 26, 27, 32 to 33, it has been held as under:

8. *Lonankutty Lonankutty v. Thomman, [(1976) 3 SCC 528]* concerned a dispute between two owners of adjacent lands. The land of the appellant was bounded on two sides by a river while the land of the respondents was landlocked, which prompted the respondents to construct a bund with sluice-gates on the border of their lands, so that they could draw water from the appellant's land for the purposes of fishing and agriculture and thereafter divert the water back through the same land to the river. The appellant who was cultivating prawn fishing on his land aggrieved by the construction of the bund believing it to have hampered his prawn fishing; therefore, he filed a suit for perpetual and mandatory injunction against the respondents. The respondents in turn filed a suit for injunction against the appellants and claimed the rights of easement. The two suits were disposed of separately by the Court of Munsif and decrees were passed in both the suits to the effect that the respondents were to have rights of

¹ (2015) 3 SCC 624



easement only with respect to agriculture but not for fishing. From the decrees, two sets of appeals were preferred by both the parties, leading to four appeals altogether. The District Court dismissed all the appeals and thereby confirmed the decrees. The respondents then filed second appeals against the decisions which arose from the appellant's suit but no second appeal was preferred from the appeals arising from their own suit.

9. Before the High Court in second appeal, the appellant in Lonankutty case [Lonankutty v. Thomman, (1976) 3 SCC 528] promptly pressed the preliminary objection of res judicata contending that the decrees passed by the District Court in the appeals arising from the respondents' suit had become final. The High Court, however, was not impressed with that contention, primarily keeping the case of Narhari [Narhari v. Shanker, 1950 SCC 668 : AIR 1953 SC 419] in perspective, and remanded the matter to the District Court after setting aside the judgment and decree of the District Court. The District Court in remand confirmed the previous view taken by it, against which the respondent again filed a second appeal in the High Court which was allowed, resulting in filing of an SLP by the appellant. The sole and central issue canvassed before this Court was whether the respondents'



right to divert the flow of water through the appellant's land for fishing purposes is barred by res judicata, and this Court answered in the affirmative. This Court concluded that the respondents, by not filing further appeals against the decree passed by the District Court in the appeals arising out of their own suit allowed that decision to become final and conclusive. It observed further : (Lonankutty case [Lonankutty v. Thomman, (1976) 3 SCC 528] , SCC pp. 534-35, paras 19 & 22)

"19. ... That decision, not having been appealed against, could not be reopened in the second appeal arising out of the appellant's suit. The issue whether respondents had the easementary right to the flow of water through the appellant's land for fishing purposes was directly and substantially in issue in the respondent's suit. That issue was heard and finally decided by the District Court in a proceeding between the same parties and the decision was rendered before the High Court decided the second appeal.

22. The circumstance that the District Court disposed of the four appeals by a common judgment cannot affect the application of Section 11.... The failure of the respondents to challenge the decision of the District Court insofar as it pertained to their suits attracts the application of Section 11 because to the



extent to which the District Court decided issues arising in the respondents' suit against them, that decision would operate as res judicata since it was not appealed against."

26. On the other hand, the verdict of Full Bench of the Allahabad High Court in *Zaharia v. Debia* [ILR (1911) 33 All 51] and decisions of the Calcutta High Court in *Isup Ali v. Gour Chandra Deb* [37 Cal LJ 184 : AIR 1923 Cal 496] and of the Patna High Court in *Gertrude Oates v. Millicent D'Silva* [ILR (1933) 12 Pat 139 : AIR 1933 Pat 78] are of the contrary persuasion. These decisions largely proceeded on the predication that the phraseology "suit" is not limited to the court of first instance or trial court but encompasses within its domain proceedings before the appellate courts; that non-applicability of res judicata may lead to inconsistent decrees and conflicting decrees, not only due to multiplicity of decrees but also due to multiplicity of the parties, and thereby creating confusion as to which decree has to be given effect to in execution; that a decree is valid unless it is a nullity and the same cannot be overruled or interfered with in appellate proceedings initiated against another decree; that the issue of res judicata has to be decided with reference to the decrees, which are appealable under Section 96 CPC and not with reference to the



judgment (which has been defined differently), but with respect to decrees in CPC; that non-confirmation of a decree in appellate proceedings has no consequence as far as it reaching finality upon elapsing of the limitation period is concerned in view of Explanation II of Section 11, which provides that the competence of a court shall be determined irrespective of any provisions as to right of appeal from the decision of such court; and that Section 11 CPC is not exhaustive of the doctrine of res judicata, which springs up from the general principles of law and public policy.

27. Procedural norms, technicalities and processual law evolve after years of empirical experience, and to ignore them or give them short shrift inevitably defeats justice. Where a common judgment has been delivered in cases in which consolidation orders have specifically been passed, we think it irresistible that the filing of a single appeal leads to the entire dispute becoming sub judice once again. Consolidation orders are passed by virtue of the bestowal of inherent powers on the courts by Section 151 CPC, as clarified by this Court in Chitivalasa Jute Mills v. Jaypee Rewa Cement [(2004) 3 SCC 85] . In the instance of suits in which common issues have been framed and a common trial has been conducted, the losing party must file appeals in respect of all adverse decrees



founded even on partially adverse or contrary speaking judgments. While so opining we do not intend to whittle down the principle that the appeals are not expected to be filed against every inconvenient or disagreeable or unpropitious or unfavourable finding or observation contained in a judgment, but that this can be done by way of cross-objections if the occasion arises. The decree not assailed thereupon metamorphoses into the character of a "former suit". If this is not to be so viewed, it would be possible to set at naught a decree passed in Suit A by only challenging the decree in Suit B. Law considers it an anathema to allow a party to achieve a result indirectly when it has deliberately or negligently failed to directly initiate proceedings towards this purpose. Laws of procedure have picturesquely been referred to as handmaidens to justice, but this does not mean that they can be wantonly ignored because, if so done, a miscarriage of justice inevitably and inexorably ensues. The statutory law and the processual law are two sides of the judicial drachma, each being the obverse of the other. In the case in hand, had the tenant diligently filed an appeal against the decree at least in respect of OS No. 5 of 1978, the legal conundrum that has manifested itself and exhausted so much judicial time, would not have arisen at all.



32. *The application of res judicata, so very often, conjures up controversies, as is evident from the fact that even in this Court divergent opinions were expressed by the two-Judge Bench, leading to the necessity of referring [Gangai Vinayagar Temple v. Meenakashi Ammal, (2009) 9 SCC 757 : (2009) 3 SCC (Civ) 885] the appeal to a larger Bench. It was for this reason that we thought it appropriate to deal with the dispute in detail. It seems to us that had the decisions of the three-Judge Bench in Lonankutty [Lonankutty v. Thomman, (1976) 3 SCC 528] and Prabhu [Narayana Prabhu Venkateswara Prabhu v. Narayana Prabhu Krishna Prabhu, (1977) 2 SCC 181] been brought to the attention of our learned and esteemed Brothers on the earlier occasion when this appeal was heard by the two-Judge Bench, the dichotomy in opinion would not have arisen. The outcome of the appeal before the High Court would have also shared a similar fate.*

33. *On the foregoing analysis, especially the previous enunciation of law by the three coordinate Benches, we are in agreement with the opinion of our learned Brother Asok Kumar Ganguly that the appeal calls to be allowed. We are of the opinion that having failed or neglected or concertedly*



avoided filing appeals against the decrees in OS No. 5 of 1978 and OS No. 7 of 1978 the cause of the respondent tenants was permanently sealed and foreclosed since res judicata applied against them. We accordingly allow this appeal but keeping the varying verdicts in view decline from making any order as to costs."

6. Reliance is also placed on the judgment of the Apex Court in ***Union of India v. Susaka (P) Ltd.***², wherein at paragraphs 24 to 27 and 33, it has been held as under:

"24. Though we find that the appellant raised this ground, for the first time, in Section 34 proceedings [see Ground (cc)] before the Single Judge but again this ground was not pressed at the time of arguments. It is clear from the perusal of the Single Judge's order. Not only that, the appellant again did not raise this plea before the Division Bench.

25. In the light of the aforementioned factual scenario emerging from the record of the case, we cannot grant any indulgence to the appellant (Union of India) to raise such plea for the first time here. In our view, it is a clear case of

² (2018) 2 SCC 182



waiver or/and abandonment of a plea at the initial stage itself.

26. *Everyone has a right to waive and to agree to waive the advantage of a law made solely for the benefit and protection of the individual in his private capacity, which may be dispensed with without infringing any public right or public policy. Cuilibet licet renuntiare juri pro se introducto. (See Maxwell on The Interpretation of Statutes, 12th Edn. at p. 328)*

27. *If a plea is available, whether on facts or law, it has to be raised by the party at an appropriate stage in accordance with law. If not raised or/and given up with consent, the party would be precluded from raising such plea at a later stage of the proceedings on the principle of waiver. If permitted to raise, it causes prejudice to other party. In our opinion, this principle applies to this case.*

33. *It is a well-settled principle in Arbitration Law that the award of an Arbitral Tribunal once passed is binding on the parties. The reason being that the parties having chosen their own arbitrator and given him an authority to decide the specific disputes arising between them must respect his decision as far as possible and should*



not make any attempt to find fault in each issue decided by him only because it is decided against one party. It is only when the issue decided is found to be bad in law in the light of any of the specified grounds set out in Section 34 of the Act, the Court may consider it appropriate to interfere in the award else not. The case at hand falls in the former category."

7. Reliance is also placed on the decision of the Apex Court ***Gas Authority of India Ltd. v. Ketik Construction (I) Ltd.***³. At paragraphs 24 and 25, the Apex Court has held as under:

" 24. The whole object and scheme of the Act is to secure an expeditious resolution of disputes. Therefore, where a party raises a plea that the Arbitral Tribunal has not been properly constituted or has no jurisdiction, it must do so at the threshold before the Arbitral Tribunal so that remedial measures may be immediately taken and time and expense involved in hearing of the matter before the Arbitral Tribunal which may ultimately be found to be either not properly constituted or lacking in jurisdiction, in proceedings for setting aside the award, may be avoided. The commentary on Model Law clearly illustrates the aforesaid legal position.

25. Where a party has received notice and he does not raise a plea of lack of jurisdiction before the Arbitral Tribunal, he must make out a strong case why he did not do

³ (2007) 5 SCC 38



so if he chooses to move a petition for setting aside the award under Section 34(2)(a)(v) of the Act on the ground that the composition of the Arbitral Tribunal was not in accordance with the agreement of the parties. If plea of jurisdiction is not taken before the arbitrator as provided in Section 16 of the Act, such a plea cannot be permitted to be raised in proceedings under Section 34 of the Act for setting aside the award, unless good reasons are shown."

8. The points that arise for consideration in the instant cases are:

- (i) The effect of the orders passed by the Additional Deputy Commissioner, Ballari, after he became *functus officio*.
- (ii) The effect of National Highway Authorities not challenging the orders passed by the District Court on the application filed by the landlosers before this Court.

9. Admittedly, by operation of law, the Additional Deputy Commissioner, Ballari, who passed the arbitral awards in respect of the lands which are the subject matter in the instant cases, did not have a jurisdiction to do so and had become *functus officio*.



10. Section 3G(5) of the NH Act reads as under:

3G. Determination of amount payable as compensation.--(1) x x x x.

(5) If the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government--

11. The Government of India, by its order dated 22.07.2011, has appointed Deputy Commissioner, Ballari, to act as an Arbitrator for the cases arising out of revenue district of Ballari in respect to lands acquired for the purposes of National Highway. The said order reads as under:

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

Transport Bhavan,
No.1, Parliament Street,
New Delhi-110001.

No. NHAI/11013/LA/KNT/Appointment of Arbitrator -

Dated 22 July 2011

ORDER

In pursuance of Sub-Section (5) of Section 3G of the National Highways Act, 1956 (48 of 1956), the Central Government hereby appoints the Officers mentioned in column (2) of the Table below, to be Arbitrator for the



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

purposes of the said Sub-section who shall exercise the powers conferred and perform the duties imposed, on Arbitrators by or under the said Act within the local limits of their respective jurisdiction as specified in column (3) and (4) of the said table. Sub-section (6) and (7) of Section 3(G) of the Act shall be taken into consideration while passing awards by the Arbitrator.

Table

Sl. No.	Designation of the Officer	Revenue District	State
(1)	(2)	(3)	(4)
1	Deputy Commissioner, Karwar	Uttar Kannada	Karnataka
2	Deputy Commissioner, Gadag	Gadag	Karnataka
3	Deputy Commissioner, Bellary	Bellary	Karnataka
4	Deputy Commissioner, Koppal	Koppal	Karnataka
5	Deputy Commissioner, Bijapur	Bijapur	Karnataka
6	Deputy Commissioner, Bagalkot	Bagalkot	Karnataka
7	Deputy Commissioner, Gulbarga	Gulbarga	Karnataka
8	Deputy Commissioner, Bidar	Bidar	Karnataka

12. By Notification dated 07.01.2019, the following order has been passed:

*“Ministry of Road Transport and Highways
Amendment order
New Delhi, the 7th January, 2019*

S.O.85(E).—In pursuance of Sub-Section (5) of Section 3G of the National Highways Act, 1956 (48 of 1956), the Central Government hereby makes the following amendment in the order of Government of India in the Ministry of Road Transport & Highways issued vide No.NHAI/11013/LA/KNT/Appointment of Arbitrator dated 22.07.2011.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

In the table of the aforesaid order against Sl.No.3 relating to designation of officer in column (2), for the entry "Deputy Commissioner", Bellary" the entry Additional Deputy Commissioner, Bellary, shall be substituted.

[F.No.NHA/11013/LA/RO-BNG/2018/Amendment of Architecture]

13. On 08.02.2021, by a Gazette Notification, the State of Karnataka carved district of Vijayanagar from the district of Ballari. The Notification reads as under:

GOVERNMENT OF KARNATAKA

*NO: RD/04/LRD/2019 Karnataka Government Secretariat
M.S. Building
Bengaluru, Date: 08.02.2021*

NOTIFICATION

Whereas the draft of notification No. RD 04 LRD 2019, dated 14.12.2020, regarding alteration of the limits of Ballari District to constitute a new district called as Vijayanagara District was published as required by section 6 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) in Part IV-A of the Karnataka Gazette Extra-ordinary, dated: 14-12-2020 inviting objections or suggestions from all the persons likely to be affected thereby within one month from the date of its publication in the Official Gazette.

And whereas, the said Gazette was made available to the public on 14.12.2020.



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

And whereas objections and suggestions received in this behalf have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 4 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka hereby alters the limits of Ballari district and constitutes the new district called as Vijayanagara district as specified in the schedules, namely:-

SCHEDULE-I

The taluks specified in column No. (3) of the table below, shall be excluded from the limits of the district specified in column No.(2) and the same shall be included within the limits of new district specified in column No. (4) and its head quarter shall be as specified in column No. (5) thereof,-

TABLE

Sl. No.	District	Name of the taluks	New District	Headquarter
(1)	(2)	(3)	(4)	(5)
1	Ballari	(1) Hosapete (2) Kudligi (3) Hagaribommanahalli (4) Kotturu (5) Hoovina Hadagali (6) Harapanahalli	Vijayanagara	Hosapete

***Boundary details of newly formed Vijayanagara District,
after alteration of the limits of Ballari District.***

East: Chitradurga and Ballari District	West: Gadag and Haveri District
North: Koppala District	South: Harihara and Davanagere taluks of Davanagere District

14. Thereafter, under Section 3G of the NH Act, power is vested with Deputy Commissioner of



**NC: 2026:KHC-D:2941-DB
MFA No. 100086 of 2024
AND CONNECTED MATTERS**

Vijayanagara and, in this regard, the Notification dated 12.04.2022 is issued by the Central Government which reads as under:

***“MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
NOTIFICATION
New Delhi, the 12th April, 2022***

S.O.1789(E).—In pursuance of Sub-Section (5) of Section 3G of the National Highways Act, 1956 (48 of 1956), the Central Government hereby appoints the Officer mentioned in column (2) of the Table below, to be Arbitrator for the purpose of the said sub-section, who shall exercise the powers conferred and perform the duties imposed, on an Arbitrator by or under the said Act within the local limits of his respective jurisdiction as specified in column (3) and (4) of the said Table. Sub-Section (6) & (7) of Section-3G of the Act shall be taken into consideration while passing awards by the Arbitrator.

TABLE

Sl. No.	Designation of the Officer	Revenue District	State
(1)	(2)	(3)	(4)
1	Deputy Commissioner,	Vijayanagara	Karnataka

(F. No.NHA/KAR-RO BNG/Vijayanagara/Arbitrator)

15. The aforementioned Notifications make it clear that Additional Deputy Commissioner, Ballari, who has passed the arbitral awards, had no jurisdiction as on 04.07.2022 and 11.08.2022.



16. Section 14(1) of the Arbitration and Conciliation Act reads as under:

"14. Failure or impossibility to act.- (1) *The mandate of an Arbitrator shall terminate and he shall be substituted by another Arbitrator, if –*

- (a) he becomes de jure or de facto unable to perform his functions or for other reasons fails to act without undue delay; and*
- (b) he withdraws from his office or the parties agree to the termination of his mandate.*

Thus, the Additional Deputy Commissioner, Ballari, had become *functus officio* as on the date of passing of the arbitral awards and he had become *de jure* unable to perform his function as an Arbitrator.

17. The judgment of the Apex Court at **Gas Authority of India Ltd.** (supra) and **Susaka (P) Ltd.** (supra) does not come to the rescue of the landlosers, because the aforementioned judgments have been pronounced in respect of Section 16 of the Arbitration and Conciliation Act.



18. Under normal circumstances, in case of any dispute, an Arbitrator is appointed by the consent of the parties. Consent of the parties forms the basis of an arbitration agreement and appointment of an Arbitrator. Another object of Arbitration and Conciliation Act is quick disposal of the cases. Thus, even if an Arbitrator does not have the necessary jurisdiction, as originally contemplated in the arbitral agreement entered into between the parties, if the parties subsequently accept the said Arbitrator and does not take up the contention as to his competence at the earliest, they are prohibited from subsequently raising the said ground.

19. However, in the instant case, the Arbitrator is appointed not by consent of the parties but because of the operation of the statute viz., under Section 3G(5) of the NH Act and the relevant Notification issued by Central Government.



20. Under the circumstances, even if the NHA I and a landloser, voluntarily agree that any other Deputy Commissioner other than the one who has been conferred jurisdiction upon or any other third party has to decide about enhancement of the compensation, he is incompetent to do so. Thus, the order passed by the Additional Deputy Commissioner, Ballari, has to be considered a nullity.

21. Once the order passed by Additional Deputy Commissioner, Ballari, is considered a nullity, the question of validating the orders passed by the District Court, Ballari in respect of the amount of compensation payable to the landloser, wherein the Court has not dealt with the competence of the Deputy Commissioner, Ballari, is liable to be set aside irrespective of whether the NHA I has challenged the same in its appeal before this Court. It has to be noted that the relevant decision has been challenged by the landlosers in the instant case and it gives the jurisdiction for this Court to pronounce on the same.



22. Hence, the following:

ORDER

(i) The order passed by Principal District and Sessions Judge, Ballari, in A.A. Nos.22/2022, 23/2022, (dated 07.10.2023); A.A. Nos.25/2022, 1/2023, 2/2023, 24/2022 (dated 13.10.2023) A.A. Nos.12/2022, 13/2022, 14/2022 (dated 25.09.2023); A.A.Nos.5/2022, 6/2022, 7/2022, 8/2022 (dated 09.10.2023) are hereby set aside;

(ii) The orders dated 04.07.2022 passed by the Additional Deputy Commissioner, Ballari, in the following cases are hereby set aside:

REV/LAQ/ARB/07(29)/2012-13,
REV/LAQ/ARB/07(968)/2013-14,
REV/LAQ/ARB/07(972)/2013-14,
REV/LAQ/ARB/7(23)/2012-13,
REV/LAQ/ARB/7(967)/2013-14

and the orders dated 11.08.2022 passed by the Additional Deputy Commissioner, Ballari, in the following cases are hereby set aside:

REV/LAQ/ARB/07(39)/2012-13,
REV/LAQ/ARB/7(971)/2013-14,
REV/LAQ/ARB/07(44)/2012-13,
REV/LAQ/ARB/07(970)/2013-14,
REV/LAQ/ARB/07(35)/2012-13,
REV/LAQ/ARB/07(7)/2012-13,
REV/LAQ/ARB/07(969)/2013-14



- (iii) The matter stands remanded to Deputy Commissioner, Vijayanagara, with a direction to hear the parties concerned and pass appropriate orders in accordance with law.
- (iv) Parties are directed to appear before the Deputy Commissioner, Vijayanagar, on 16th March 2026 without waiting for further notice in this regard.
- (v) Taking into consideration that the arbitration is of the acquisition of the year 2009, the Deputy Commissioner, Vijayanagara, is directed to decide the matter within four months thereafter.
- (vi) The appeals stand disposed of accordingly.

Pending interlocutory applications, if any, stand disposed of as not surviving for consideration.

**Sd/-
(M.I.ARUN)
JUDGE**

**Sd/-
(B. MURALIDHARA PAI)
JUDGE**