



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

MISCL SECOND APPEAL NO.200008 OF 2018 (LA)

BETWEEN:

DEVA S/O MALKU BY LR's
GUNAVANTHAPPA S/O LATE DEVA @ DEVAPPA,
AGE: 85 YEARS, OCC: AGRICULTURE,
R/O. KANNADGI VILLAGE, TQ. CHITTAPUR,
DIST. KALABURGI.

...APPELLANT

(BY SRI. A.M. BIRADAR, ADVOCATE)

AND:

1. THE STATE, THROUGH
ASST. COMMISSIONER & LAO,
SEDAM-585 222, DIST. KALABURGI.
2. THE DEPUTY COMMISSIONER,
VIKAS SOUDHA, KALABURGI-585 102.

...RESPONDENTS

(BY SRI. MAQBOOL AHMED, AGA FOR R1 & R2)

THIS MSA IS FILED UNDER SECTION 54(2) OF THE
LAND ACQUISITION ACT 1894, PRAYING TO ALLOW THE



APPEAL WITH COSTS, THE JUDGMENT AND AWARD DATED 01.09.2017 PASSED BY THE I ADDL. DISTRICT JUDGE, KALBURGI IN LACA NO.34/2017, SET ASIDE THE JUDGMENT AND AWARD DATED 28.03.1983 PASSED BY CIVIL JUDGE, GULBARGA IN LAC NO.27/1981 TO BE MODIFIED BY ENHANCING THE AMOUNT OF COMPENSATION AT Rs.99,114/- PER ACRE WITH ALL STATUTORY BENEFITS, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL JUDGMENT

There is no representation either from the learned counsel for the appellant or the appellant when the case called out.

2. As per the papers on record, death certificate of the sole appellant is produced, which would show that the appellant died as early as on 29.04.2019. The appellant is the sole legal representative of the original



sole appellant before the first appellate Court in LAC No.34/2017. The legal representatives of the appellant have not taken any steps to come on record to prosecute the appeal for the period of about seven years since the date of death of the appellant.

3. There is no reason to grant any further adjournment. Consequently, the appeal is dismissed as abated.

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE

BL
List No.: 1 Sl No.: 5
CT: SB