



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH**

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 204221 OF 2025 (LA-RES)

BETWEEN:

FEROZ KHAN
S/O KHAJA KHAN
AGE 65 YEARS
OCC AGRICULTURE,
R/O H NO.14-104
JAMA MASJID ROAD
WADI JUNCTION
TQ CHITTAPUR
DIST KALABURAGI 585225

...PETITIONER

(BY SRI H.M.PATEL.,ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
KALABURAGI
MINI VIDHANA SOUDHA STATION ROAD
KALABURAGI 585103
2. PROJECT DIRECTOR
NATIONAL HIGH WAY AUTHORITY
BEHIND KOTHARI BHAVAN
KALABURAGI 585103
3. EXECUTIVE ENGINEER
NATIONAL HIGHWAY DIVISION
OLD JEWARGI ROAD
KALBURAGI 585103





4. THE ASSISTANT EXECUTIVE ENGINEER
NATIONAL HIGHWAY SUB DIVISION
YADGIR 585201

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R-1, 3 & 4;
SRI SANTOSH MARADI, ADV. FOR R-2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT RESPONDENT NOS.2 TO 4 TO SEND THE PROPOSAL OF THE ACQUIRED LAND OF SY. NO.161/1 MEASURING 2 ACRES 8 GUNTAS OUT OF ITS LARGER AREA 9 ACRES 12 GUNTAS AS PER THE LETTER NO.KALABURAGI PB-1/2003/2004/867 DATED 26.09.2023 VIDE ANNEXURE-D TO DEPUTY COMMISSIONER KALABURAGI TO INITIATE THE ACQUISITION PROCEEDINGS FOR PAYMENT OF COMPENSATION AS PER THE LAND ACQUISITION ACT, 2013.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. This writ petition under Articles 226 & 227 of the Constitution of India is filed with a prayer to issue a writ of mandamus directing respondent nos.2 to 4 to send the proposal of the acquired land of Sy. No.161/1 measuring 2 acres 8 guntas out of its larger area 9 acres 12 guntas as per the letter No.Kalaburagi PB-1/2023-24/867 dated 26.09.2023 vide Annexure-D to the Deputy Commissioner, Kalaburagi, to initiate the acquisition proceedings for payment of compensation as per the Land Acquisition Act, 2013.



2. Heard the learned Counsel for the parties.
3. It is the case of the petitioner that he is the absolute owner of property bearing Sy. No.161/1 measuring 9 acres 12 guntas and out of the said land, an extent of 2 acres 8 guntas has been utilized for the purpose of formation of NH-150 from Ravoor to Malgatti. The petitioner, therefore, submitted a representation dated 14.09.2023 seeking to acquire the aforesaid land and grant him compensation. Considering the said representation, respondent no.3 had forwarded the same to respondent no.4 on 26.09.2023 vide Annexure-D for the purpose of taking appropriate action. Since no action has been taken thereafter, the petitioner is before this Court.
4. Learned AGA appearing on behalf of respondent nos.1, 3 & 4 submits that if respondent no.4 has not taken any action till date pursuant to the communication at Annexure-D, if some reasonable time is granted, appropriate action shall be taken and order shall be passed thereafter.
5. The aforesaid submission is placed on record.



6. Writ petition is allowed in part. Respondent no.4 is directed to consider the communication at Annexure-D dated 26.09.2023 issued by respondent no.3 based on the representation of the petitioner received on 14.09.2023 alleging that his land measuring 1 acre 10 guntas in Sy. No.161/1 of Halakatta village, Chittapur Taluk, has been utilized for the purpose of formation of NH-150 from Ravoor to Malagatti and for the purpose of ascertaining the exact extent of land belonging to the petitioner which is allegedly utilized for the purpose of formation of national highway, respondent no.4 shall secure the survey report and thereafter pass appropriate orders, as expeditiously as possible, but not later than the period of six months from the date of receipt of the copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

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