NC: 2024:KHC:43412
MFA No. 5362 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2024

BEFORE

THE HON'BLE MR JUSTICE H.P.SANDESH

MISCELLANEOUS FIRST APPEAL NO. 5362 OF 2023 (LAC)

BETWEEN:

1. SRI CHIKKAMUNIYAPPA
S/O LATE KADIRAPPA @ CHANNAKADIRAPPA
AGED ABOUT 72 YEARS,
R/AT NO.73, 2/2,
KUNDALAHALLI VILLAGE,
K.R. PURAM HOBLI,
DODDANAKKUNDI POST,
BENGALURU-560037.

...APPELLANT

(BY SRI. RAJENDRA K.R., ADVOCATE)

AND:

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

1. THE SPECIAL LAND ACQUISITION OFFICER (AIRPORT),
KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD,
BENGALURU.

2. SRI KADIRAPPA @ CHENNA KADIRAPPA
DEAD BY LRS

3 SRI DODDAPATTABHI
S/O LATE KADIRAPPA @ CHENNA KADIRAPPA
SINCE DEAD BY LRS,

3(a) SRI VENKATESH
S/O LATE DODDAPATTABHI
SINCE DEAD BY LRS

3(a)(i) SMT. MUNIYAMMA
W/O LATE VENKATESH
AGED ABOUT 67 YEARS,

3(a)(ii) SRI V. GOVINDARAO
S/O LATE VENKATESH
AGED ABOUT 50 YEARS,

3(a)(iii) SRI K.V.MUNIKRISHNA
S/O LATE VENKATESH
AGED ABOUT 48 YEARS,

3(a)(iv) SRI K.V. SRINIVAS
S/O LATE VENKATESH
AGED ABOUT 47 YEARS,

3(b) SRI CHANDRAPPA
S/O LATE DODDAPATTABHI
AGED ABOUT 57 YEARS,

3(c) SRI GOVINDA @ GOVINDAPPA
S/O LATE DODDAPATTABHI
AGED ABOUT 55 YEARS,

4. CHIKKAPATTABHI
SINCE DECEASED BY LRS

4(a) SRI NARASIMHAPPA @ NARASIMHAIAH
S/O LATE CHIKKAPATTABHI
AGED ABOUT 65 YEARS

4(b) SRI GANESH
S/O LATE CHIKKAPATTABHI
AGED ABOUT 65 YEARS

4(c) SRI NAGESH
S/O LATE CHIKKAPATTABHI
AGED ABOUT 60 YEARS

4(d) SRI MUNIRAJU C,
S/O LATE CHIKKAPATTABHI

AGED ABOUT 60 YEARS

4(e) SRI SRINIVASA C.,
S/O LATE CHIKKAPATTABHI
AGED ABOUT 58 YEARS

4(f) SRI SUBRAMANI S.,
S/O LATE CHIKKAPATTABHI
AGED ABOUT 47 YEARS

5. SRI SANJEEVAPPA
SINCE DECEASED BY HIS LRS

5(a) NAGARAJA S,
S/O LATE SANJEEVAPPA
AGED ABOUT 61 YEARS,

5(b) SRI MUNIRAJA S,
S/O LATE SANJEEVAPPA
AGED ABOUT 58 YEARS,

5(c) SRI PRAKASH S,
S/O LATE SANJEEVAPPA
AGED ABOUT 52 YEARS,

5(a) TO 5(c) ARE
RESIDING AT NO.2/2, 75,
KUNDALAHALLI VILLAGE,
DODDANAKKUNDI POST
BENGALURU-560037.

6. SRI. S.NARAYANAPPA,
S/O LATE SANJEEVAPPA,
AGED ABOUT 69 YEARS,
R/AT NO.1, 3RD CROSS,
B. CHENNASANDRA,
KALYANAGARA POST,
BENGALURU – 560043.

7. SRI. GULLAPPA,
SINCE DECEASED BY LRS

7(a) SMT. SHAKUNTALA,
W/O SRINIVASAN,
AGED ABOUT 42 YEARS
R/AT KADUGODI PLANTATION
5TH CROSS, NEAR GANGAMMA TEMPLE
DINNUR, BENGALURU.

7(b) SRI. SHANKAR
S/O LATE GULLAPA,
AGED ABOUT 39 YEARS,
PILLA REDDY NAGAR,
OMBR LAYOUT,
DODDABANASWADI POST,
BENGALURU.

8. CHIKKAMUNIYAPPA,
S/O SANJEEVAPPA,
SINCE DECEASED BY RLS

9. SRI. DODDA MUNIYAPPA,
S/O LATE SANJEEVAPPA
SINCE DECEASED BY HIS LRS

10. CHIKKAPPAYYA,
S/O LATE SANJEEVAPPA,
SINCE DECEASED BY HIS LRS

11. SRI. RAJAPPA,
S/O MUNIYAPPA,
MAJOR,

12. SRI N. NARASIMHA RAJU
S/O NARAYANAPPA,
MAJOR,

13. SRI S. MUNIYAPPA,
S/O LATE SANJEEVAPPA,
MAJOR,

14. RATHNAMMA,
W/O LATE CHIKKAMUNIYAPPA,
AGED ABOUT 63 YEARS,

15. SRI NARAYANA SWAMY,
S/O CHIKKAMUNIYAPPA,
MAJOR,

8 TO 15 ARE RESIDING AT
B.CHANNASANDRA VILLAGE,
DODDABANASWADI POST,
BENGALURU - 560043.

…RESPONDENTS

THIS MFA IS FILED U/S 54(1) OF LAND ACQUISITION ACT, AGAINST THE JUDGMENT AND AWARD DATED 02.08.2022 PASSED IN LAC.NO.118/2005 ON THE FILE OF THE II ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH.NO. 17), DISMISSING THE REFERENCE PETITION FILED UNDER SECTION 30 AND 31 OF THE LAND ACQUISITION ACT, 1894.

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

CORAM: HON'BLE MR JUSTICE H.P.SANDESH

ORAL JUDGMENT

This matter is called twice in the morning and also in the afternoon and no representation on behalf of the appellant.

2. The order of this Court dated 28.06.2024 is very clear that already sufficient time is granted and further time can be granted only on cost and also imposed cost of Rs.2,000/- and granted two weeks time to comply with the office objections. It is also made clear that, if the cost is not paid and the office objections are not complied, Registry to list

the matter for dismissal. In spite of the order dated 28.06.2024, neither the office objections are complied with nor the cost is paid.

3. Hence, in view of the order dated 28.06.2024, the appeal is dismissed for non-compliance of office objections and non-payment of cost.

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 Sl No.: 11