



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 9195 OF 2026 (GM-RES)

BETWEEN:

1. SMT. NARAYANAMMA
W/O. MUNIRAMAIAH,
AGED ABOUT 59 YEARS,
R/AT. NELAVAGILUR VILLAGE,
HOSKOTE TALUK,
BANGALORE RURAL DISTRICT
2. SMT. JAYAMMA,
W/O LATE MUNIYAPPA,
AGED ABOUT 66 YEARS,
R/AT. MINDAHALLI VILLAGE,
KASABA HOBLI, MALUR TALUK

...PETITIONERS

(BY SRI. CHINMAY G KURANDWAD.,ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER-1
KARNATAKA INDUSTRIAL AREAS DEVELOPMENT
BOARD, BHARAT SCOUTS AND GUIDES BUILDING,
PALACE ROAD, BENGALURU- 560001
2. SRI. BYRAPPA,
S/O. CHOUDAPPA, AGED MAJOR,
R/AT. MINDAHALLI VILLAGE,
KASABA HOBLI, MALUK TALUK,
KOLAR DISTRICT
3. DHODDACHOUDAPPA,
S/O. LATE MUNISHAMAPPA,
AGED MAJOR, R/AT. MINDAHALLI VILLAGE,
KASABA HOBLI, KOLAR TALUK,





KOLAR DISTRICT

4. MUNIYAMMA
W/O. MUNEGOWDA, AGED MAJOR,
R/AT. MAALASANDRA VILLAGE,
NARASAPURA HOBLI,
5. SHIKKOLAMMA,
W/O. LATE DHODDAMUNI SONNAPPA,
AGED MAJOR, R/AT. KUNTANAHALLI VILLAGE,
TEKAL HOBLI, MALUR TALUK,
6. SRI. ADHYAPPA,
S/O. LATE BHAYAMMA, AGED MAJOR
7. SRI. SAMPANGAPPA,
S/O. LATE EERAMMA, AGED MAJOR
8. SRI. BYRAPPA,
S/O, LATE CHOUDAPPA, AGED MAJOR
9. SRI. KRISHNAMURTHI,
S/O. LATE CHOUDAPPA, AGED MAJOR
10. SMT. SUNANDA
W/O. MUNIRAJAPPA, AGED MAJOR
11. SMT. SHARADAMMA,
W/O.NARASIMHAPPA, AGED MAJOR
12. SMT. GOWRAMMA,
W/O. AMBERLIYORA RAMANNA,
AGED MAJOR
13. SMT. MUNIYAMMA,
W/O. MUNIYAPPA, AGED MAJOR
14. SMT. LAKSHMAMMA,
W/O. K. GOVINDAPPA, AGED MAJOR



15. SRI. MARKONDAPPA,
S/O. SONNAPPA, AGED MAJOR
16. SMT. RATHNAMMA,
W/O. SRIRAMAPPA, AGED MAJOR
17. SMT. BHAYYAMMA,
W/O. MUNINARAYANAPPA, AGED MAJOR

ALL THE RESPONDENT NOS.5 TO 17 ARE
R/AT MINDAHALLI VILLAGE, KASABA HOBLI
MALUR TALUK, KOLAR DIST

...RESPONDENTS

(BY SRI.GOPAL B.V., ADVOCATE FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE ORDER DATED 14.03.2026 PASSED BY THE LOK ADALATH IN LAC NO. 17/2022 PRODUCED AT ANNEXURE-A AND CONSEQUENTLY RESTORE THE MATTER BACK ON THE FILE OF THE SENIOR CIVIL JUDGE, MALUR FOR ADJUDICATION ON MERITS.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petition is filed calling in question the legality and correctness of the settlement dated 14.03.2026 recorded by the Lok Adalat in LAC No.17/2022. The records disclose that while recording the said settlement, the Lok Adalat has taken note of the



order passed by this Court in W.P.No.18846/2022, wherein the general award came to be quashed. Consequent thereto, the Lok Adalat has ordered closure of the proceedings in LAC No.17/2022 and has further directed that the amount deposited by the Special Land Acquisition Officer be reimbursed to the acquiring Authority. The said order is assailed by the petitioners on the ground that their claim for partition and separate possession in O.S.No.104/2012 is still *sub judice* and therefore, closure of the LAC proceedings without securing their consent suffers from serious legal infirmities and is liable to be interfered with.

2. At the outset, this Court was inclined to accept the submission canvassed by the learned counsel for the petitioners. However, on a deeper scrutiny of the pleadings and the material placed on record, this Court finds that the suit in O.S.No.104/2012, wherein the petitioners had sought partition of their share, has already been dismissed by judgment and decree dated



10.12.2025. Though it is contended that the said judgment and decree is under challenge in a Regular Appeal filed under Section 96 of the Code of Civil Procedure, 1908 in R.A.No.7/2026 and the same is pending consideration, this Court is of the considered view that any right or entitlement now claimed by the petitioners must necessarily be agitated and worked out in the said pending appeal.

3. It is not in dispute that as on the date when the Lok Adalat recorded the impugned settlement, the partition suit stood dismissed. In that view of the matter, the petitioners, as on the said date, did not possess an enforceable subsisting right so as to insist upon participation or consent in the LAC proceedings. Consequently, the contention that the settlement is vitiated for want of their consent cannot be accepted.

4. However, it is equally true that the petitioners' right, if any, to claim a share in the compensation arising



out of the acquisition proceedings is intrinsically connected with and dependent upon the adjudication of their rights in the partition suit. Since an appeal under Section 96 of CPC., is in the nature of a continuation of the original proceedings, it is open for the petitioners to work out their remedies by seeking appropriate reliefs before the Appellate Court in the pending R.A. No.7/2026.

5. Insofar as the present writ petition is concerned, this Court finds that the Special Land Acquisition Officer is also a party to the proceedings before the Civil Court and therefore, all issues pertaining to entitlement, apportionment and disbursement of compensation can effectively be adjudicated by the Appellate Court. Without availing such efficacious remedy and without pursuing appropriate applications in the pending appeal, the petitioners have chosen to invoke the writ jurisdiction of this Court to assail the order of the Lok Adalat, which, in the considered opinion of this Court, is not maintainable, particularly in view of the pendency of R.A. No.7/2026.



6. If the petitioners file an application seeking appropriate interim orders in the pending appeal, the Appellate Court shall consider the same keeping in view the necessity of preserving the subject matter of the appeal. While doing so, the Appellate Court shall advert to the material and documents placed on record by the petitioners, afford an opportunity of hearing to all concerned parties, and thereafter pass appropriate orders in accordance with law.

Accordingly, reserving liberty to the petitioners to pursue and seek appropriate reliefs, including consideration of any application already filed, before the Appellate Court in R.A.No.7/2026, the writ petition stands ***disposed of.***

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**