



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH DAY OF SEPTEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 104908 OF 2024 (LA-RES)

BETWEEN:

KONKAN RAILWAY CORPORATION LTD
A CORPORATION INCORPORATED UNDE THE COMPANIES
ACT 1956,
HAVING A REGISTERED OFFICE AT BELAPUR BHAVAN,
SECTOR 11, CBD BELAPUR, SECTOR 11, CBD BELAPUR,
NAVI MUMBAI 400614,
REPRESENTED BY SENIOR REGIONAL ENGINEER
KONKAN RAILWAY CORPORATION LTD, KARWAR,
SHRI B S NADAGE, S/O SURENDRA NADAGE,
AGED ABOUT 56 YEARS, AT KARWAR.

...PETITIONER

(BY SRI. RAKESH M. BILKI, ADVOCATE)

AND:

1. SPECIAL LAND ACQUISITION OFFICER
KONKAN RAILWAY AND ASSISTANT COMMISSIONER,
KARWAR, KARWAR SUB DIVISION
AT KARWAR 581301.
2. DEPUTY COMMISSIONER
UTTARA KANNADA DISTRICT
OFFICE OF THE DEPUTY COMMISSIONER
AT KARWAR 581301.
3. SMT. SHARADA NAGESH PUJARI
VAMAN ASHRAM ROAD,
KARWAR 581301.





(SINCE DEAD BUT NOT HAVING BROUGHT LEGAL REPRESENTATIVES ON RECORD THE IMPUGNED AWARD REMAINS MADE IN FAVOUR OF A DEAD PERSON)

4. SHRI NAGESH TIPPAYA PUJARI
VAMAN ASHRAM KARWAR
(SINCE DEAD AND THE SAID PERSON IS NOT EVEN AN APPLICANT UNDER SECTION 28A THE IMPUGNED AWARD REMAINS MADE IN FAVOUR OF A DEAD PERSON)

...RESPONDENTS

(BY SRI. P.N. HATTI, HCGP FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, I. DECLARING THAT THE IMPUGNED AWARD DATED 22-04-2022 PASSED BY THE RESPONDENT NO.1 IN NO.BHUSWA/ KR-VIVA-28(A)-622/2013-14 VIDE ANNEXURE-A IS VITIATED AND NON-EST.II. QUASH THE IMPUGNED AWARD DATED 22-04-2022 PASSED BY THE RESPONDENT NO.1 IN NO.BHUSWA-KR-VIVA-28(A)-622/2013-14 VIDE ANNEXURE-A AS ARBITRARY, ILLEGAL AND HAVING VITIATED AND RENDERED NON-EST AND WITHOUT APPLICATION OF MIND.III. QUASHING THE ENTIRE PROCEEDINGS IN BHUSWAIKA-VIVA 28(A)-622/2013-14 ON THE FILE OF RESPONDENT NO.1 VIDE ANNEXURE-A, AS ILLEGAL LAND ARBITRARY AND ULTRA VIRES SECTION 28-A.IV. DECLARING THAT IN THE EVENT OF RE-DETERMINATION UNDER SECTION 28-A, THE PETITIONER IS NOT LIABLE TO PAY ANY INTEREST IN RESPECT OF THE RE-DETERMINED AMOUNT OR COMPENSATION.V. ISSUE ANY APPROPRIATE ORDER OR DIRECTION AS THIS HON BLE COURT DEEMS FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE ENDS OF JUSTICE AND EQUITY.

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



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Despite the order dated 11.09.2025, office objections have not been complied with.
2. It appears that the petitioner is not interested in prosecuting the matter.
3. The petition is dismissed for non-prosecution.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

AM
CT:PA
List No.: 3 Sl No.: 91