



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. 104905 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.

SHRI DUGUNO VENKATESH NAIK BY LRS.,
MADEWADA, KARWAR-581317,

(SINCE DEAD IMPUGNED AWARD REMAINS MADE IN
FAVOUR OF A DEAD PERSON)





3. SRI SUDHAKAR S/O DUGUNO NAIK,
AGED MAJOR.

4. SMT. KALPANA D/O DUGUNO NAIK,
AGED MAJOR

5. SMT KUMUD D/O DUGUNO NAIK
AGED MAJOR

ALL RESIDING AT MADEWADA VILLAGE,
KARWAR 581301.

6. SRI BABU VENKATESH NAIK BY LRS
SRI. GANAPATI BABU NAIK,,
MADEWADA, KARWAR 581317.

7. SRI RAYA ALIYAS RAMA VENKATESH NAIK BY LRS.,
MADEWADA, KARWAR 581317.

8. SMT SEETA RAM NAIK D/O RAMA NAIK
AGED MAJOR.

9. SRI SHYAM RAM NAIK S/O RAMA NAIK
AGED MAJOR.

10. SRI SURESH RAM NAIK S.O RAMA NAIK
AGED MAJOR,

11. SRI PRASHANT RAM NAIK S/O RAMA NAIK
AGED MAJOR.

12. SMT VANDAN RAM NAIK D/O RAMA NAIK
AGED MAJOR

13. SMT SAILA RAM NAIK D/O RAMA NAIK
AGED MAJOR

14. SMT MANDA RAM NAIK D/O RAMA NAIK
AGED MAJOR

15. SRI SHIVANAND VENKATESH NAIK BY LRS.,



KARWAR 581317.

ALL RESIDING AT MADEWADA VILLAGE,
KARWAR-581317.

...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 10-06-2022 PASSED BY THE RESPONDENT NO.1 IN NO.BHUSWA/ KR-VIVA-28(A)-95/2012-13 VIDE ANNEXURE-A IS VITIATED AND NON-EST. II. QUASH THE IMPUGNED AWARD DATED 10-06-2022 PASSED BY THE RESPONDENT NO.1 IN NO.BHUSWA-KR-VIVA-28(A)-95/2012-13 VIDE ANNEXURE-A AS ARBITRARY, ILLEGAL AND HAVING VITIATED AND RENDERED NON-EST AND WITHOUT APPLICATION OF MIND.III. QUASHING THE ENTIRE PROCEEDINGS IN BHUSWA KR VIVA 28(A)-95/2012-13 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 10.09.2025, office objections have not been complied with.



**NC: 2025:KHC-D:13133
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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.: 89