

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF NOVEMBER 1999

BEFORE

THE HON'BLE MR.JUSTICE S.R.VENKATESHA MURTHY

MISCELLANEOUS SECOND APPEAL (FR) 1359/1993

BETWEEN:

The Special Land
Acquisition Officer,
H.R.P.II, Hassan.

..APPELLANT

(BY Sri.H.J.Sundarkumar,Adv)

A N D:

Nanjegowda @ Papanna,
s/o.Sanna Boregowda,
Vaidara Halli,
Kasaba Hobli,
Channarayapatna Tq.

..RESPONDENT

(BY Respdt served).

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This MSA is filed u/s.54(2) of the Land Acquisition Act against the judgment and decree dt.18.6.93 passed by the Addl.Dist.Judge, Hassan in MA 38/92 dismissing the appeal and confirming the judgment and award dt.22.11.90 passed by the Civil Judge, Holenarasipura in LAC No.165/85.

This MSA coming on for orders this day, the Court made the following:-

J U D G M E N T

Heard.

2. Delay of 2134 days in refiling the appeal is sought to be explained on the ground that there was delay in obtaining the certified copy. The magnitude of the delay is so vast that it cannot be

..2/-

condoned. Even on merits, the extent of land being meagre, ^{that} there is no reason to interfere with that order ~~as~~ ^{the} compensation is not so excess^{ive} ^{as} to call for interference. Delay in refiling is not condoned. Appeal is dismissed as not admitted.

Sd/-
Judge

sm/-