

ಜಿಲ್ಲಾಧಿಕಾರಿ, ಉತ್ತರ ಕನ್ನಡ, ಕಾರವಾರರವರ ನ್ಯಾಯಾಲಯದಲ್ಲಿ

No. RB/LAQ/NH-66/ARB/CR-208/16-17

1. Shri Madhukar Babu Gunagi,  
R/o Binaga Taluk: Karwar
2. Shri Nanda Babu Gunagi  
R/o Binaga Taluk: Karwar  
G.P.A Holder Madhukar Babu Gunagi

...Applicant

1. Competent Authority and Assistant Commissioner, Karwar  
A. C Office Karwar
  2. Project Director, National Highway Authority of India,  
Project Implementation Unit, Door No. 3-29,  
Bethel, Tharethota Near Pumpwell, Mangalore-575005
- ...Respondents

ದಿನಾಂಕ

ನ್ಯಾಯಾಲಯದ ನಡವಳಿಕೆ

18/6/18

P side absent.

R<sub>2</sub> ಪರ ವಕಾಲತ filed by RSP adv.

Call on 9/7/18 for oly.



18/6.

9/7/18

P abs.

R<sub>2</sub> adv files oly.

Call on 3/9/18 for WA by P if any



9/7

3/9/18

c.c. P side absent

R<sub>2</sub> present.  
adv

Call finally on 22/10/18



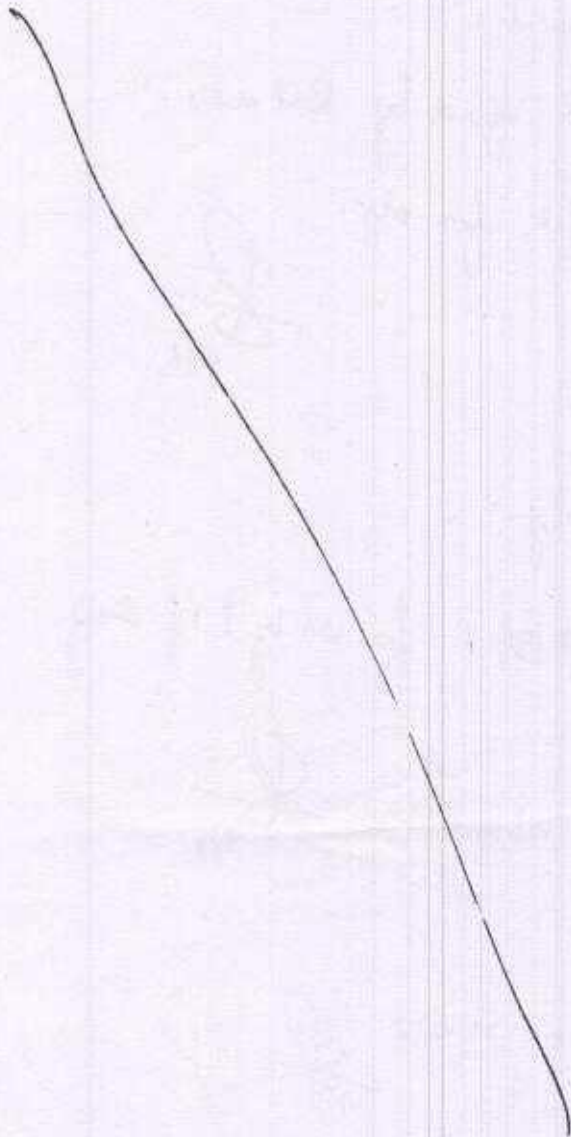
22/10/18

Padv absent. Already multiple opp  
provided hence taken as no WA.

Radv present. Pleads obj to be taken  
as WA.

Case PO.

Isakel  
22/10





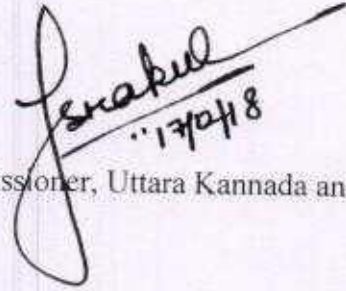
The petition and respondent's objection have been perused. Petitioner has claimed that the compensation paid to them of Rs 1799820/- is very low and hence petitioner has claimed for enhanced compensation.

Respondent advocate has stated that CALA has rightly fixed land valuation, and claim for capitalization method of determination of market value of structure including damages etc does not arise as it is not contemplated by section 3G of the Act. Further the valuation of structures as well as trees have been done by authorised valuers as per PWD SSR and rates fixed by concerned State Government Departments and hence enhancement is not acceptable. Respondents have also claimed that valuation provided by sub-registrar have been considered and are correct with respect to land and hence no enhancement is payable.

It is observed that the respondent's mere claim for enhanced compensation cannot be ground for enhancement. Further no have been produced to substantiate claim for enhanced compensation for land, structures nor for trees and since CALA has considered valuation based on authorised valuers only as well as sub registrar statistics, there arises no cause of action for enhanced compensation. Hence, I proceed to order as below:

**Order**

Petition for enhanced compensation is hereby rejected.



Deputy Commissioner, Uttara Kannada and Arbitrator.