

ಜಿಲ್ಲಾಧಿಕಾರಿ, ಉತ್ತರ ಕನ್ನಡ, ಕಾರವಾರರವರ ನ್ಯಾಯಾಲಯದಲ್ಲಿ

No. RB/LAQ/NH-66/ARB/CR-220/16-17

1. Shri Durgappa Anandu Shetty
R/o Binaga Taluk: Karwar
2. Shri Maruti Anandu Shetty
R/o Binaga Taluk: Karwar

...Applicants

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

P₁₂ ಪರ ವಕಾಲತ filed by VAT adv.

R₂ ಪರ ವಕಾಲತ filed by RSP adv.

for obj call on 9/7/18



18/6

9/7/18

c.c. Radv present.

obj filed by R₂ adv

for WA obj P side on 3/9/18



9/9

3/9/18

P side absent.

R₂ adv present.

call finally on 22/10/18



22/10/18

c.c. P adv present & pleads one last
opp.

R adv present.

Call finally on 12/11/18



12/11/18

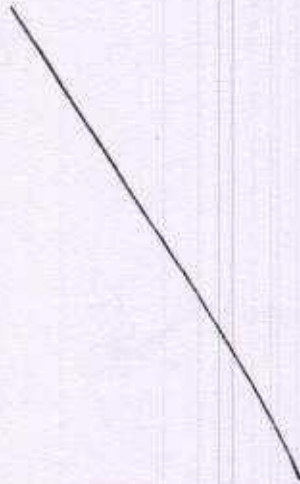
ಮಾನ್ಯ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಪ್ರಾಥಮಿಕ ನ್ಯಾಯಾಲಯ ಪ್ರಧಾನ ನ್ಯಾಯಾಲಯ, ದಿನಾಂಕ: <u>17/12/18</u> ದಯೆ ಮುಂದಡವಿಸಿ

17/12/18

c.c. P side absent, hence taken
as no ~~of~~ further arg.

R adv pleads no further arg.

Case PO.



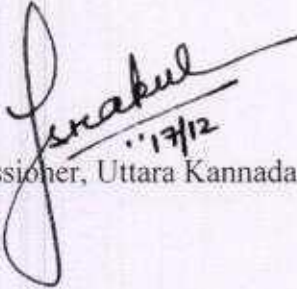
The petition and respondent's objection have been perused. Petitioner has claimed that the compensation paid to them of Rs 775737/- is very low and hence petitioner has claimed for enhanced compensation.

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.


..17/12

Deputy Commissioner, Uttara Kannada and Arbitrator.