

(2017) 04 KAR CK 0136

In the Karnataka High Court

Case No : 252 of 2017 (LA-BDA) AND WRIT APPEAL NOS 2270-2271 of 2017

Bangalore Development Authority Represented by its
Commissioner, & Anr.

APPELLANT

Vs

State of Karnataka By its Chief Secretary, & Anr.

RESPONDENT

Date of Decision : 28-04-2017

Acts Referred:

Citation : (2017) 04 KAR CK 0136

Hon'ble Judges : Subhro Kamal Mukherjee, P.S.Dinesh Kumar

Bench : DIVISION BENCH

Advocate : Kannur G.S., M.R. Charati, V.Sreenidhi

Final Decision : Dismissed

Judgement

1. The appeals are barred by limitation. The delay is of 445 days.
2. As prayed for by Mr.G.S.Kannur, learned advocate appearing for the appellants, the appeals are taken up for preliminary hearing.
3. The writ petitioner assailed a notification dated December 30, 2008, proposing to acquire the land for formation of a layout. The preliminary notification was issued on December 30, 2008. Thereafter, neither the final notification was issued nor possession was taken. Consequently, the Hon''ble Single Judge held that as within the reasonable time, no further action was taken, the proposal for acquisition got lapsed.
4. We do not find any merit in the appeals.
5. The application for condonation of delay in filing the appeals is dismissed. Consequently, the appeals are, also dismissed.
6. In view of the dismissal of the appeals, the pending interlocutory application does not survive for consideration and is, also, dismissed.
7. We make no order as to costs.