

(2014) 03 KAR CK 0106

In the Karnataka High Court

Case No : Writ Petition Nos. 17549 to 17551 of 2013 (KLR-RES)

C.K. Jaffar Sharief

APPELLANT

Vs

State of Karnataka

RESPONDENT

Date of Decision : 05-03-2014

Acts Referred:

Karnataka Land Revenue Act, 1964 — Section 136(3)

Citation : (2014) 3 KarLJ 254 : (2014) 4 KCCR 3882

Hon'ble Judges : B.V. Nagarathna, J

Bench : Single Bench

Advocate : Chandrashekhar S. for M/s. Holla and Holla, Advocate for the Appellant; Shashidhar Karamadi, Government Pleader, Advocate for the Respondent

Final Decision : Disposed Off

Judgement

B.V. Nagarathna, J.—The petitioners have sought a direction to the second respondent-Special Deputy Commissioner, Bangalore District, Bangalore to dispose of the proceedings in Case No. RRT (2) CR 32/2001-02 pending before the authority within a specified time frame. Briefly stated, the facts are that the land bearing Survey Nos. 75/3 and 75/4 of Chokkanahalli Village, Yelahanka Hobli, Bangalore North Taluk, are stated to have been purchased by the wife and son of the first petitioner. Thereafter their names are stated to have been mutated in the revenue records, pursuant to M.R. No. 10/1982-83. However, the then Special Deputy Commissioner initiated proceedings u/s 136(3) of the Karnataka Land Revenue Act, 1964 in Case No. RRT (2) CR 32/2001-02 canceling the mutation entries and directing deletion of the entries made in their favour by issuing direction to the Tahsildar in that regard and to resume the land to the State Government. That order was challenged by the purchasers of the land in this Court in Writ Petition No. 30698 of 2004 connected with Writ Petition No. 30695 of 2004. This Court by order dated 26-3-2008 quashed the order of the Special Deputy Commissioner and remanded the matter for fresh disposal.

2. The grievance of the petitioners is that after the remand, the proceedings have not yet been completed. Hence, a direction is sought to the second respondent-authority to conclude the proceedings expeditiously.

3. I have heard the learned Counsel for the petitioners and the learned Government Pleader who appears for the respondents and perused the material on record.

4. During the course of submission, learned Counsel for the petitioners stated that the next date of the proceeding before the second respondent is on 8-3-2014. He further contended that the matter being of the year 2001-2002 and is pending since then, a direction may be issued for expeditious disposal.

5. As the second respondent has initiated proceedings u/s 136(3) of the Karnataka Land Revenue Act, 1964 in the year 2001-2002 and till date there has been no final conclusion of the proceedings despite the remand order being of the year 2008 and 6 years having been lapsed, it is a fit case to issue direction to the second respondent to conclude the proceedings within a period of four months from the next date of hearing which is 8-3-2014. With the aforesaid direction, these writ petitions stand disposed of.