

(2023) 01 KAR CK 0024

In the Karnataka High Court

Case No : Writ Petition No. 54730 Of 2014 (LA-BDA)

Elizabeth Simon George & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 17-01-2023

Acts Referred:

Citation : (2023) 01 KAR CK 0024

Hon'ble Judges : Krishna S.Dixit, J

Bench : Single Bench

Advocate : Narayana Swamy V.K., R. Srinivasa Gowda, Ajay Kumar

Final Decision : Disposed Of

Judgement

Krishna S.Dixit, J

1. Learned counsel for the Petitioners submits that the subject matter of this Writ Petition is substantially similar to the one in W.P.No.51929/2014 & connected matters between SRI. K.P.ANJANAPPA vs THE STATE OF KARNATAKA & OTHERS, disposed off by a Co-ordinate Bench of this Court on 27.09.2021, wherein some relief has been granted to the litigant therein and therefore, the same be extended to his clients as well.

2. In support of his contention, learned counsel cites a Division Bench Judgment of this Court in W.A.Nos.932-933/1974 between A.V.VINODA & ANOTHER vs. STATE OF KARNATAKA BY ITS COMMISSIONER & SECRETARY, disposed off on 11.12.1974. There is no much controversion as to the relief having been granted to the litigant in the cognate Writ Petition supra. If that be so, the same cannot be denied to the Petitioners who are similarly circumstanced in this matter. Whether relief needs to be granted or not, is for the Justice K.N.Keshavanarayana Committee constituted pursuant to an order of learned Single Judge of this Court in the above Writ Petition itself.

In view of the above, Writ Petition is disposed off. The Respondent - BDA is

directed to co-ordinate in the matter before the above Committee for considering Petitioners' claim for deletion of the lands/sites from the acquisition process or for allotment of some other site by way of alternate relief, in that regard, all contentions are kept open.

Till consideration of Petitioners' claim takes place, the status-quo with regard to possession & structures in the land shall be maintained.

Ordered accordingly and Writ Petition is disposed off, costs having been made easy.