
(2013) 08 KAR CK 0230

In the Karnataka High Court

Case No : Writ Petition No. 39286 of 2010 (LA-BDA)

H.B. Uday Kumar

APPELLANT

Vs

State of Karnataka and Others

RESPONDENT

Date of Decision : 12-08-2013

Acts Referred:

Citation : (2013) 5 KarLJ 243

Hon'ble Judges : Ashok B. Hinchigeri, J

Bench : Single Bench

Advocate : G.M. Megharaj, for the Appellant; H.T. Narendra Prasad, Additional Government Advocate and Sri K.M. Prakash, for the Respondent

Judgement

Ashok B. Hinchigeri, J.—Sri K.M. Prakash, the learned Counsel appearing for the respondents 2 and 3 has filed a memo, duly signed by himself and the Land Acquisition Officer, Bangalore Development Authority ("BDA" for short). The memo is taken on record. The memo states that the BDA, in its meeting held on 17-8-2011 has passed a resolution not to acquire the revenue site; that the said resolution is forwarded to the Government and that the Government's decision is awaited. Sri H.T. Narendra Prasad, the learned Additional Government Advocate for the first respondent-State Government submits that the BDA has sent one more letter dated 3-8-2013 furnishing the name of the site holder, site number, the extent of the site and other particulars. The said letter is received by the Government on 5-8-2013. He submits that the BDA's proposal would be considered in accordance with law. He seeks three months' time for taking a decision in the matter.

2. Recording the memo filed and the submissions made on behalf of the respondents, I dispose of this petition with a direction to the State Government to consider the BDA's proposals contained in its letters dated 17-8-2011 and 3-8-2013 for the withdrawal of the site from acquisition in accordance with law and as expeditiously as possible and in any case within an outer limit of three months from the date of the issuance of the certified copy of today's order. The

Government shall communicate its decision to the petitioner, as soon as it passes the orders.

3. All the parties are directed to maintain status quo in respect of possession till the State Government takes a decision in the matter. Needless to observe that all the contentions are kept open. No order as to costs.