
(2009) 12 KAR CK 0045
In the Karnataka High Court
Case No : Writ Petition No. 38048 of 2009

H.C. Narayana Reddy

APPELLANT

Vs

State of Karnataka and Others

RESPONDENT

Date of Decision : 18-12-2009

Acts Referred:

Karnataka Land Reforms Act, 1961 — Section 79 A, 80, 83

Citation : (2010) 1 KarLJ 673 : (2010) 3 KCCR 2089

Hon'ble Judges : A.S. Bopanna, J

Bench : Single Bench

Advocate : M. Geetha, for the Appellant; R. Kumar, Government Advocate for Respondents-1 and 2, for the Respondent

Judgement

A.S. Bopanna, J.—Sri R. Kumar, learned Government Advocate to accept notice for respondents 1 and 2 and file memo of appearance within a period of four weeks from today. Considering the nature of disposal, notice to respondent 3 is unnecessary.

2. Though several contentions have been urged with regard to the ownership of the property in question, it is noticed that the petitioner is calling in question the order dated 15-2-1996 as at Annexure-F.

3. The learned Government Advocate would point out that the said order which is impugned in the present petition is the one passed in a proceedings initiated u/s 83 of the Karnataka Land Reforms Act, 1961 for violation of the provisions of Sections 79-A and 80 of the said Act. Against such an order passed by the Assistant Commissioner, an appeal is provided to the Karnataka Appellate Tribunal.

4. The learned Counsel for the petitioner however states that since the petitioner has not been made a party, the petitioner has approached this Court. Even in such circumstance, it is for the petitioner to approach the Karnataka Appellate Tribunal by filing an appeal along with the application seeking leave of the

Tribunal to prosecute the appeal. If such application is filed, the Tribunal shall consider the same and thereafter entertain the matter on its merits.

In terms of the above, the petition stands disposed of with no order as to costs.