

(2023) 09 KAR CK 0007

In the Karnataka High Court

Case No : Writ Petition No. 13595 Of 2023 (GM-KIADB)

M/S Jpr Enterprises

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 01-09-2023

Acts Referred:

Constitution Of India, 1949 — Article 350

Citation : (2023) 09 KAR CK 0007

Hon'ble Judges : Krishna S Dixit, J

Bench : Single Bench

Advocate : K S Mallikarjunaiah, Rajendra K R, H L Pradeep Kumar

Final Decision : Disposed Of

Judgement

Krishna S Dixit, J

1. The short grievance of the Petitioner is as to non-consideration of his Application dated 07.10.2021 a copy whereof avails at Annexure-C wherein he has sought for the allotment of industrial site of a particular dimension. Learned counsel for the Petitioner argues that Article 350 of the Constitution of India mandates, it is the bounden duty of the Statutory Authorities to consider the grievances of the citizens in accordance with law and within a reasonable time; this duty having not been discharged, Petitioner is grieving before the Writ Court.

2. Learned AGA appears for 1st Respondent and learned Panel Counsel appears for KIADB & its officials. Both they oppose the Petition contending that unless the right to consideration is demonstrated, a Writ of Mandamus cannot be sought for. Having so contended, learned Panel Counsel appearing for the KIADB assures the Court that the subject Application would be considered in accordance with law and within a reasonable time should the Court reserve all contentions. This is appreciable.

In view of the above, the Petition is disposed off. Time for consideration is eight weeks, which would include decision making & conveying it to the Petitioner.

It is open to the answering Respondents to solicit any information/documents from the side of the Petitioner as are required for due consideration of the subject Application; however, in the guise of such solicitation, no delay shall be brooked. If delay is brooked, Petitioner can move a memo and seek levy of exemplary costs on the erring officials.

Now, no costs.