

(2026) 08 KAR CK 2241

In the Karnataka High Court, Bengaluru Bench

Case No : WP No. 10683 of 2024 C/W WP No. 26431 of 2023 WP No. 26439 of 2023

Shri Nagaraju K.L.

APPELLANT

Vs

The State Of Karnataka & Ors.

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

Citation : (2026) 08 KAR CK 2241

Hon'ble Judges : E.S. Indires, J

Bench : Single Bench

Advocate : Sri. Vinayaka S Pandit

Final Decision : Disposed Of

Judgement

In W.P.No.10683/2024, petitioner is assailing the survey sketch/Haddubastu sketch dated 10.04.2023 in respect of the land bearing Survey No.153/16 and 153/28 on Mojini Portal and quash the Haddubastu sketch dated 10.04.2023 (Annexures-H and H1 respectively), *inter alias* sought for direction to the respondent No.5 to restore the Schedule-A property into its original form and to maintain status quo.

2. In W.P.No.26431/2023 and W.P. No.26439/2023, petitioners are assailing the notices dated 19.11.2023 (Annexures -A, A1 to A4) issued by the respondent authorities, in respect of the subject land is concerned.

3. Heard Sri Vinayaka.S.Pandit, learned counsel and B.C.Venkatesh, learned counsel for the petitioners, Smt. B.P.Radha, learned Additional Government Advocate appearing for respondents No.1 to 8 and Sri Abhinav.R, learned counsel appearing for the respondent No.9.

4. Having heard the learned counsel appearing for the petitioners and considering the controversy arising in these petitions, as to the survey being conducted by the respondent authorities on 06.03.2023, as per Annexure-H. It is also to be noted that, the said survey sketch prepared by the respondent

authorities has been assailed before the respondent No.4 by the petitioner herein, in Appeal No.1/2023-24. It is also forthcoming from the order dated 28.06.2023 (Annexure-K in W.P.No.10683/2024), wherein the respondent No.4 has granted interim order of stay and the matter is pending consideration before the said authority. In the meanwhile, the petitioner herein has also filed a suit in O.S.No.24/2023 before the competent Civil Court at Magadi and the suit is pending consideration before the Civil Court. In that view of the matter, the rights of the parties will be crystallized insofar as the factual aspects relating to the demolition of the scheduled property said to have been made by the respondents as alleged by the petitioner. However, the same would be considered by the Trial Court in O.S.No.24/2023, (re-numbered as O.S.No.16 and 17/2024).

5. In that view of the matter, I am of the opinion that the factual aspects are concerned, the same shall be considered by the Trial Court, however, insofar as the appeal before the respondent No.4 is pending consideration as to the challenge made by the petitioner herein as to the survey dated 06.03.2023.

6. Sri Abhinav.R, learned counsel appearing for respondent No.9, submits that respondent No.9 herein has also preferred appeal challenging the very same sketch prepared by the respondent authorities dated 06.03.2023 and same is unnumbered, however the same is pending consideration before the respondent-authority.

7. In that view of the matter, without going to the merits of the case, as to decide the matter and the impugned notices herein, I am of the view that the respondent No.4 is directed to, consider the appeals preferred by the petitioner as well as the respondent No.9 together and take a decision in the matter in accordance with law, within a period of four months from the date of receipt of certified copy of this order.

8. It is also to be noted that as the impugned survey dated 06.03.2023 has been stayed by respondent No.4 in the Appeal No.1/23-24 and the appeal preferred by respondent No.9 herein on 04.06.2026, I am of the view that, the impugned notices are hereby set aside and the parties are directed to await the order that may be passed by respondent No.4 in the aforementioned appeal.

9. Since the matter is pending consideration before respondent No.4, who is yet to take decision in the matter as to the survey conducted as per Annexure-H to the writ petitions, parties are directed not to take any coercive action against each other in respect of the subject matter.

10. With these observations, writ petitions are accordingly **disposed of**. The impugned notices dated 19.11.2023 (Annexures-A, A1 to A4) issued by the respondent authorities in respect of the subject land is accordingly set aside.