

(2025) 01 KAR CK 1602

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 1158 Of 2025 (LB-BMP)

Supreeth D

APPELLANT

Vs

Commissioner Bruhat Bengaluru Mahanagara Palike, N.R.
Square, Corporation Circle, Bengaluru-560002 & Ors

RESPONDENT

Date of Decision : 17-01-2025

Acts Referred:

Citation : (2025) 01 KAR CK 1602

Hon'ble Judges : H.P. Sandesh, J

Bench : Single Bench

Advocate : Sriram Singh

Final Decision : Dismissed

Judgement

N S Sanjay Gowda, J

1. This petition is filed challenging the notice of demolition under Section 356(2) of the BBMP Act, 2020.

2. It is the case of the petitioner that as against the order of demolition, the petitioner had preferred an appeal to the Chief Commissioner of the BBMP and the petitioner has also been granted an interim order of status-quo and despite this interim order, the notice for demolition has been issued. The copy of the interim order is also produced at Annexure-F.

3. In my view, since the order of demolition is the subject matter in appeal and there is an interim order to maintain status-quo, it is obvious that the 2nd respondent could not have issued the notice of demolition as per Annexure-A. Consequently, Annexure-A - notice is quashed. Liberty is, however, reserved to the 2nd respondent to pass an order of demolition depending on the result of the appeal that has been filed by the petitioner in Appeal No.204/2024 before the Chief Commissioner, BBMP.

4. Writ Petition is accordingly allowed.