

(2023) 09 KAR CK 0046

In the Karnataka High Court

Case No : Writ Petition No. 21209 Of 2023 (LA-BDA)

T.A. Kantharaju

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 21-09-2023

Acts Referred:

Citation : (2023) 09 KAR CK 0046

Hon'ble Judges : M.G.S. Kamal, J

Bench : Single Bench

Advocate : N.K. Mallikarjun, L. Hanumantharayappa, Kiran C.V

Final Decision : Disposed Of

Judgement

M.G.S. Kamal, J

1. Petitioner is before this Court seeking direction to the respondents-BDA not to interfere with the possession of the petitioner over the schedule property untill the consideration of a representation to be made by the petitioner before the Hon'ble Justice K.N.Keshavanarayana Committee.

2. Heard Sri. N.K.Mallikarjun, learned counsel for the petitioner and Sri. L.Hanumantharayappa, learned AGA for the respondent No.1. and Sri. Kiran C.V, learned counsel for the respondent Nos.2 and 3.

3. Petitioner claims to be the absolute owner of the lands bearing Sy.Nos.43/2 and 44/2, measuring 12 guntas and 8 1/2 guntas respectively, both are situated at Amruthhalli, Yelahanka Hobli, Bangalore North Taluk, having inherited the same from his father. That the said lands were acquired by the respondent-BDA for formation of Arkavathi layout. That the petitioner could not file representation before the Hon'ble Justice K.N.Keshavanarayana Committee at an earlier point of time due to ignorance and that he be provided an opportunity to make representation seeking redressal of his grievance in terms of the orders of the Coordinate Bench of this Court passed in W.P.No.17351/2023 on 31.08.2023

which is produced at Annexure-E, wherein the Coordinate Bench of this Court had permitted the petitioners therein to approach the Hon'ble Justice K.N.Keshavanarayana Committee with a request to seek redressal of grievance of the petitioners in accordance with law, with the participation of petitioners and all other stake holders in the matter.

4. Learned counsel for the petitioner submits that petitioner herein being similarly situated as that of the petitioners therein, he may also be extended similar benefit.

5. Learned counsel for the respondents-BDA does not dispute the aforesaid factual aspect of the matter.

6. In that view of the matter, petition is disposed of reserving liberty to the petitioner to approach and make representation before Hon'ble Justice K.N. Keshavanarayana Committee seeking redressal of his grievance.

7. It is made clear that no opinion is expressed on the merits of the case or on the contentions of the parties and all contentions of the parties are kept open.

8. In the meanwhile, till consideration of the representation of the petitioner by the Hon'ble Justice K.N.Keshavanarayana Committee, respondents-BDA shall not precipitate the matter.

With the above direction, writ petition is disposed of.