

(2017) 04 KAR CK 0131
In the Karnataka High Court
Case No : 5098 of 2016 (LA-BDA)

The Commissioner Bangalore Development Authority, & Anr.	APPELLANT
Vs	
State of Karnataka By its Principal Secretary Urban Development Department, & Anr.	RESPONDENT

Date of Decision : 28-04-2017

Acts Referred:

Citation : (2017) 04 KAR CK 0131

Hon'ble Judges : Subhro Kamal Mukherjee, P.S.Dinesh Kumar

Bench : DIVISION BENCH

Advocate : M.V.Charati, G.S.Kannur, V.Sreenidhi

Final Decision : Dismissed

Judgement

1. The appeal is barred by limitation. The delay is of 720 days.
2. As prayed for by Mr.G.S.Kannur, learned advocate appearing for the appellants, the appeal is taken up for preliminary hearing.
3. The writ petitioner assailed a notification dated December 30, 2008, proposing to acquire the land for formation of a layout. The preliminary notification was issued on December 30, 2008. Thereafter, neither the final notification was issued nor possession was taken. Consequently, the Hon''ble Single Judge held that as within the reasonable time, no further action was taken, the proposal for acquisition got lapsed.
4. We do not find any merit in the appeal.
5. The application for condonation of delay in filing the appeal is dismissed. Consequently, the appeal is, also dismissed.
6. In view of the dismissal of the appeal, the pending interlocutory application does not survive for consideration and is, also, dismissed.
7. We make no order as to costs.