

(2017) 09 KAR CK 0052

In the Karnataka High Court

Case No : 251 of 2017 & WRIT APPEAL NO 4373 of 2017 (LA-BDA)

THE COMMISSIONER BANGALORE DEVELOPMENT AUTHORITY APPELLANT

Vs

THE STATE OF KARNATAKA HOUSING AND URBAN DEVELOPMENT DEPARTMENT, & ORS. RESPONDENT

Date of Decision : 20-09-2017

Acts Referred:

[Bangalore Development Authority Act, 1976](#), [Section 27](#) - Authority to execute the scheme within five years

Citation : (2017) 09 KAR CK 0052

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

Bench : DIVISION BENCH

Advocate : KANNUR G S, V SREENIDHI, D L N RAO, SHANTHESH GUREDDI

Judgement

1. These are appeals against the judgment and order dated April 21, 2016, together with an application for condonation of delay of 217 days in filing the appeals.
2. The land-in-question was, purportedly, acquired under the Bengaluru Development Authority Act, 1976 (for short "the said Act"). The final notification was passed on July 28, 1990. The compensation was neither paid to the owners nor deposited with the Civil Court. The writ petitioners continue to be in possession. The Bengaluru Development Authority did not form sites nor allotted the same to the third party.
3. We do not find fault in the order of the Hon'ble Single Judge, inter alia, holding that the Scheme stood lapsed under Section 27 of the said Act.
4. The application for condonation of delay in filing the appeals is dismissed. Consequently, the appeals are, also, dismissed.
5. In view of dismissal of the appeals, I.A.No.V of 217 does not survive for consideration and is, also, dismissed.

6. We make no order as to costs.