



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 2998 OF 2022 (LR)

BETWEEN:

SMT. R. SHANTHA HIMACHAL
W/O SRI.HIMACHALAPATHI
AGED ABOUT 53 YEARS,
RESIDING AT NO.1880,
13TH CROSS, MANGALAVAR PET
CHANNAPATTANA TOWN,
RAMANAGARA DISTRICT - 533 101.

...PETITIONER

(BY SMT. RAJESHWARI M, ADVOCATE FOR
SRI. R.B. SADASIVAPPA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BANGALORE - 560 001.
2. THE ASSISTANT COMMISSIONER
RAMANAGARAM SUB-DIVISION,
RAMANAGARAM DISTRICT - 562 159.
3. THE TAHSILDAR
CHANNAPATTANA TALUK
CHANNAPATTANA TOWN





RAMANAGARAM DISTRICT - 562 159.

...RESPONDENTS

(BY SRI. S.R. KHAMROZ KHAN, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 07.08.2019, PASSED BY THE R2 IN CASE NO. LRF 79 A AND B 63/2014-15 VIDE ANNEXURE-G AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Additional Government Advocate takes notice for all the respondents.

2. This writ petition has been filed aggrieved by the order passed by the Assistant Commissioner in proceedings bearing No.L.R.F.79(A) and (B):63/2014-15 dated 07.08.2019 at Annexure-G.

3. Learned counsel for the petitioner submits that this is a case where the impugned order of forfeiture has been passed by the Assistant Commissioner without notice



to the petitioner. It is further submitted that under similar circumstances, a co-ordinate Bench of this Court in W.P.No.7821/2021 has passed an order dated 16.08.2021 remanding the matter back to the Assistant Commissioner for fresh consideration after affording an opportunity of hearing to the aggrieved person.

4. Learned Additional Government Advocate points out from the impugned order that notice was indeed issued to the petitioner and in spite of notice having been issued, the petitioner did not appear before the Assistant Commissioner.

5. Admittedly, as on the date of the Karnataka Land Reforms (Amendment) Ordinance, 2020, no proceedings were pending before any court/authority.

6. This Court had several occasions to consider such cases, where writ petitions are filed long after the provisions contained in Sections 79A, 79B and 79C were omitted from the statute book in terms of the Karnataka



Land Reforms (Second Amendment) Act, 2020. It is the consistent opinion of this Court that if at any rate, the Assistant Commissioner, after forfeiting the land has not disposed of the same in accordance with law then the benefit of the saving clause contained in Section 12 of the Amending Act is required to be given to such petitioners. The Assistant Commissioner is therefore, required to ascertain, whether the declared excess lands or forfeited lands still remain with the State Government or has been granted to third parties. If the lands have been granted to third party, then sub-section(1) of Section 12 of the amending Act will apply to say that the proceedings have reached finality. Or otherwise, sub-section (2) of Section 12 of the Amending Act will apply and all further proceedings shall be declared as abated by the Assistant Commissioner.

7. Having considered the submission of the learned Counsels and on perusing the judgment of the co-ordinate Bench in W.P.No.7821/2021, this Court finds that



facts and circumstances in both these matters are quite similar and therefore, the benefit of the decision of the co-ordinate bench should also enure to the petitioner herein.

8. Accordingly, this Court proceeds to pass the following:

ORDER

- i) The writ petition is ***disposed of***.
- ii) The matter is remanded back to the respondent-Assistant Commissioner to consider the case of the petitioner including the consequences of the subsequent amendment brought to the provisions of Sections 79-A and 79-B of the Karnataka Land Reforms Act in Karnataka Amendment No.56 of 2020.
- iii) If revenue entries have been altered pursuant to the impugned order dated 07.08.2019, the same shall be restored in favour of the petitioner.
- iv) The petitioner shall appear before the respondent-Assistant Commissioner on



15.05.2026, without waiting for further notice from the Assistant Commissioner.

Ordered accordingly.

Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

**Sd/-
(R DEVDAS)
JUDGE**

rv
List No.: 1 Sl No.: 21