

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

**[SRI S NINGAIAH VS. THE STATE OF KARNATAKA AND
OTHERS]**

23.02.2026
(VIDEO CONFERENCING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

Sri Ananda H.J., the learned counsel for the petitioner, is heard on the petitioner's grievance with the fourth respondent's order dated 14.01.2026. The fourth respondent has called upon the petitioner to remove the construction in Survey No.95 of Thammadipura Village, Sosale Hobli, T.Narasipura Taluk alleging that the petitioner has encroached upon right of way. The learned counsel submits that the petitioner has constructed the compound after the land is diverted from agricultural purpose without any stipulation on right of way, and the learned counsel also submits that the fourth respondent has issued the order without prior notice and even without mentioning the provision under which the petitioner has been called upon to remove the construction.

In consideration of the afore, the interim order is granted as prayed for to be in force until further orders with liberty to the respondents to complete pleadings and seek vacating.

Sri Aditya Diwakara, the learned Additional Government Advocate, is called upon to accept notice to the first to fourth respondents and there shall be *Emergent Notice* returnable by **10.04.2026** to the fifth respondent.

(B M SHYAM PRASAD)
JUDGE

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List No.: 1 Sl No.: 46