



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO. 11306 OF 2025 (LB-BMP)

C/W

WRIT PETITION NO. 22357 OF 2025 (LB-BMP)

IN WP No. 11306/2025

BETWEEN:

SMT.T.ZEENATH BEGUM
W/O K. ABDUL WADOOD
AGED ABOUT 74 YEARS
RESIDING AT, NO.786, OASI STREET
KHADER PET, VYANAMDADI, TAMIL NADU
PRESENTLY RESIDING AT NO.39,
COLLEGE ROAD, NUNGAMBAKKAM,
CHENNAI- 600006

REPRESENTED BY HER
POWER OF ATTORNEYS

1.MR. KHAMAR BASHA
S/O LATE PYARUSAB
AGED ABOUT 51 YEARS
RESIDING AT NO. 131, 1ST CROSS,
ANWAR LAYOUT, K. G. HALLI,
BENGALURU- 560 045.

...PETITIONER

(BY SRI. RAMESHCHANDRA., ADVOCATE)





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AND:

1. THE COMMISSIONER
BBMP, N.R.ROAD,
BENGALURU - 560 002
2. EXECUTIVE ENGINEER,
H.B.R DIVISION, BBMP,
5TH MAIN ROAD, 3RD BLOCK,
HBR LAYOUT,
BENGALURU- 560 043
3. THE ASSISTANT EXECUTIVE ENGINEER
H.B.R DIVISION,
BBMP, 5TH MAIN ROAD,
3RD BLOCK, HBR LAYOUT,
BENGALURU - 560 043
4. THE ASSISTANT DIRECTOR OF
TOWN PLANNING (EAST),
BBMP, 22ND FLOOR, UTILITY BUILDING,
M.G.ROAD, BENGALURU- 560 001
5. SRI ASHFAQUE AHMED
S/O M.RAFEEQUE AHMED,
AGED ABOUT 45 YEARS,
R/AT NO. 151/4, MOUNT,
POONAMALLE ROAD, RAMAPURAM
CHENNAI- 600089
6. M/S. FARIDA SHOE LIMITED
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT 1956,
HAVING ITS REGISTERED OFFICE AT
NO.151/4, MOUNRPOONAMALLE ROAD,



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RAMPURAM, CHENNAI- 600089,
REP. BY ITS DIRECTOR
ASHFAQUE AHMED,
S/O M. RAFEEQUE AHMED
AGED ABOUT 38 YEARS,
R/AT NO.151/4, MOUNT POONAMALLE ROAD,
RAMAPURAM, CHENNAI- 600 089.

...RESPONDENTS

(BY SRI. B V MURALIDHAR.,ADVOCATE FOR R1 TO R4;
SANJAY KUMAR A, ADVOCATE FOR R5;
MAHESH A S., ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-
DIRECT THE RESPONDENT NOS.1 TO 4 TAKE APPROPRIATE
ACTION IN ACCORDANCE WITH LAW AND NECESSARY ACTION
BE TAKEN TO REMOVE THE CONSTRUCTION BUILT WITHOUT
PLAN AND LICENSE IN THE SCHEDULE PROPERTY AND ETC.,

IN WP NO. 22357/2025

BETWEEN:

M/S. FARIDA SHOES LIMITED
A REGISTERED COMPANY UNDER
THE COMPANIES ACT, 1956
HAVING IT'S OFFICE AT
NO. 151/4, MOUNT POONAMALLE ROAD,
RAMAPURAM, CHENNAI- 600089
BRANCH AT
NO.919/388, 693/A-0(6)
9TH CROSS, UMAR NAGAR, GOVINDAPURA,
BANGALORE- 560045



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REPRESENTED BY IT'S DIRECTOR,
ISRAR AHMED
S/O RAFEEQUE AHMED,
AGED ABOUT 53 YEARS

...PETITIONER

(BY SRI. MAHESH ARKALGUD., ADVOCATE)

AND:

1. THE CHIEF COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE, HUDSON CIRCLE,
BENGALURU- 560001.
2. THE ZONAL COMMISSIONER
EAST ZONE,
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE, HUDSON CIRCLE.
3. THE ASSISTANT EXECUTIVE ENGINEER
BRUHAT BENGALURU MAHANAGARA PALIKE,
GOVINDAPURA, HBR LAYOUT SUB-DIVISION,
NAGARWARA, BENGALURU- 560045.
4. THE ASSISTANT DIRECTOR OF TOWN
PLANNING EAST ZONE,
BRUHAT BENGALURU MAHANAGARA PALIKE,
BENGALURU- 560045

...RESPONDENTS

(BY SRI. VAIBHAV RAVI MALIMATH.,
ADVOCATE FOR R1 TO R4;)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CONFIRMATION ORDER DATED 30.06.2025



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BEARING NO ZC/E/CO/15/25-26 PASSED BY THE ZONAL COMMISSIONER EAST ZONE BBMP BENGALURU /R-2 UNDER SECTION 248(3) AND 356(1) OF THE BBMP ACT 2020 VIDE ANNEXURE-A AND ETC.,

THESE PETITIONS, COMING ON FOR ORDERS THOROUGH VIDEO CONFERENCING / PHYSICAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

The *lis* pertains to illegal and unauthorized construction being put up by the petitioner in W.P.No.22357/2025. In this regard, a complaint has been made before the Greater Bengaluru Authority (for short, 'the GBA') by the petitioner in W.P.No.11306/2025. As no action was initiated against the petitioner in W.P.No.22357/2025, W.P.No.11306/2025 came to be filed with the following prayers:

"i) Direct the respondent No.1 to 4 to take appropriate action in accordance with law and necessary action be taken to remove the construction,



built without plan and licence in the schedule property.

ii) Proper action may kindly be initiated against the erring officials/Commissioner/ Executive engineer and engineer in permitting to construct the building in violation of the building bye laws.

iii) Award court costs and such other reliefs as the Hon'ble Court deems fit to grant in the interest of justice."

2. In the meanwhile, W.P.No.22357/2025 came to be filed with the following prayers:

"i. Issue a Writ of Certiorari or any writ of like nature to quash the confirmation order dated 30.06.2025 bearing No. ZC/E/CO/15/25- 26 passed by the Zonal Commissioner, East Zone, BBMP, Bengaluru/Respondent No.2 under section 248(3) and 356(1) of the BBMP Act, 2020 vide Annexure A

ii. Pass any such other Orders as this Hon'ble Court Deems fit under the facts and Circumstances of the case"

3. The learned counsel appearing for the respondent - Bruhat Bengaluru Mahanagara Palike (For short, 'the BBMP') now the Greater Bengaluru Authority



(for short, 'the GBA'), upon instructions, submits that pursuant to filing of W.P.No.11306/2025, notices have been issued to the petitioner in W.P.No.22357/2025 and action has been initiated for illegal construction of the building on the said property and because of which, W.P.No.11306/2025 has become infructuous.

4. Insofar as it relates to W.P.No.22357/2025, the petitioner contends that the property in question is a 'B' Khata property. He further submits that, though the building has been constructed without obtaining the necessary sanctioned plan, the construction is not in violation of the building bye-laws. He further submits that he may be granted liberty to make the necessary application before the concerned authorities for change of the 'B' Khata into 'A' Khata. He also prays that he may be permitted to seek a sanctioned plan in accordance with the existing laws and as per the said sanctioned plan, if it is found that the construction put up is in violation of the same, he is willing to have the same demolished.



5. The learned counsel for the respondent - BBMP / GBA is agreeable for the same.

6. Hence, the following:

ORDER

- i. The petitioner in W.P.No.22357/2025 is granted liberty to make necessary application for change of 'B' Khata into 'A' Khata before the concerned authorities in accordance with law.
- ii. He is also granted liberty to apply for a sanctioned plan with the concerned authorities. The said exercise shall be done within a period of three (03) weeks from today.
- iii. If the aforementioned applications are made by the petitioner in W.P.No.22357/2025, then in that event, the authorities concerned shall consider the same in accordance with law and pass appropriate orders.



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- iv. Till such a decision is taken on the applications made by the petitioner in W.P.No.22357/2025, no precipitative action shall be taken against the petitioner in W.P.No.22357/2025 and the said petitioner will also not to put up any additional construction on the property concerned.
- v. The respondent - BBMP / GBA will also afford an opportunity of hearing to the petitioner in W.P.No.11306/2025 before passing any order on the applications to be made by the petitioner in W.P.No.22357/2025.
- vi. Accordingly, the Writ Petitions are hereby ***disposed of.***
- vii. Pending I.As., if any, stand disposed of.

**Sd/-
(M.I.ARUN)
JUDGE**

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List No.: 1 Sl No.: 27