



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT APPEAL NO. 767 OF 2021 (LA-BDA)

BETWEEN:

1. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
KUMARA PARK WEST,
BENGALURU - 560 020.
2. THE DEPUTY COMMISSIONER
FOR LAND ACQUISITION
BANGALORE DEVELOPMENT AUTHORITY,
KUMARA PARK WEST,
BENGALURU - 560 020.

...APPELLANTS

(BY SRI. SACHIN B.S, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, M.S. BUILDING
BENGALURU - 560 001.
2. SRI. GULLAPPA
S/O LATE VENKATAPPA
AGED ABOUT 82 YEARS,





3. SRI. G. NARAYAN SWAMY
S/O LATE VENKATAPPA
AGED 52 YEARS,

4. SRI. G. ASHOK REDDY
S/O LATE GULLAPPA
AGED 49 YEARS,

ALL ARE R/AT RAMAIAH GARDEN
BANNERUGHATTA ROAD, HULIMAVU
BENGALURU - 560 076.

5. SRI. T. PURUSHOTHAM
S/O. LATE THIMMAPPA REDDY,
AGE 60 YEARS, HULIMAVU VILLAGE,
BEGURU HOBLI, BANGALORE SOUTH TQ - 560 076.

...RESPONDENTS

(BY SMT. PRAMODINI KISHAN, AGA FOR R1;
SRI. H.N. BASAVARAJU, ADVOCATE FOR R3 AND R4)

THIS W.A. IS FILED UNDER SEC.4 OF KARNATAKA HIGH
COURT ACT PRAYING TO CALL FOR RECORDS IN WRIT
PETITION NO.18154/2014 AND SET ASIDE THE IMPUGNED
ORDER PASSED BY THE LEARNED SINGLE JUDGE IN
W.P.NO.18154/2014 VIDE ORDER DATED 12.11.2020.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This appeal is filed seeking following reliefs:



"a) Call for records in Writ Petition No.18154/2014 and set aside the impugned order passed by the learned Single Judge in W.P.No.18154/2014 vide order dated 12.11.2020.

b) Issue writ or order and pass such other relief/s as this Hon'ble Court deems fit to pass in the circumstances of the case in the interest of justice and equity."

2. We have heard the learned senior counsel appearing for appellants as well as learned Senior Counsel for respondents.

3. It is submitted by the learned counsel for respondents that the acquisition in the instant case is for the purpose of forming of BTM 6th Stage layout by the Bengaluru Development Authority. It is submitted that the lands involved in this case is 1 acre and 4 guntas of land in Sy.No.47/2 of Hulimaavu Village, Begur Hobli, Bengaluru South Taluk, Bengaluru.

4. It is submitted that in respect of 3 acres and 5 guntas of land in the very same survey number and in



respect of very same village in respect of same Notification, a challenge was raised in WP No.55991/2015, which was allowed by the learned Single Judge by judgment dated 18.09.2017. The scheme in respect of the land bearing Sy.No.47/2 was found to have lapsed and the acquisition was found to have been abandoned. The said judgment of the learned Single Judge was taken up in Writ Appeal No.6936/2017 and by judgment dated 16.08.2018, the Division Bench of this Court considered the matter and opined that since the Government had utilized only a fraction of land which was acquired and the scheme was never implemented in toto, the finding that the acquisition stood abandoned in respect of land in Sy.No.47/2 could not be faulted. The appeal was accordingly dismissed. The matter was taken up before the Hon'ble Supreme Court in SLP Nos.19776/2019 connected with SLP No.18966/2019 and other matters. By order dated 12.10.2022, the SLPs were also dismissed.



5. Having considered the contentions advanced, we notice that the acquisition in respect of land comprised in Sy.No.47/2 of Hulimavu Village, Begur Hobli, Bengaluru South Taluk, Bengaluru, is held to have been lapsed abandoned. In view of the fact that the dispute in this Writ Appeal is also in respect of 1 acre and 4 guntas of land in Sy.No.47/2 of Hulimavu Village, Begur Hobli, Bengaluru South Taluk, Bengaluru, covered by the very same Notification, we are of the opinion that nothing survives for consideration in this appeal. Accordingly, this appeal is ***dismissed.***

All pending interlocutory applications stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

SSD
List No.: 1 Sl No.:14.1