



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.17308 OF 2025 (LA-BDA)

BETWEEN:

1. *SYED MUNAWAR
S/O SYED YASIN BASHA,
AGED ABOUT 47 YEARS,
RAT NO.13/1, A.J. RESIDENCY
FLAT NO.G-002, MURGESH MURALIDAR
ROAD, FRAZER TOWN,
BANGALORE-500005.
2. WASEEM PASHA
S/O SYED AHMED BASHA,
AGED ABOUT 41 YEARS,
R/AT NO.6/1, C NO. 3RD STREET,
BROADWAY ROAD CROSS,
SHIVAJINAGAR, HKP ROAD,
BANGALORE-560051.

...PETITIONERS

(BY SRI PRAVEEN S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,
REPRESENTED BY ITS SECRETARY,
VIKAS SOUDHA, BANGALORE-560001.
2. THE BANGALORE DEVELOPMENT AUTHORITY,
HAVING ITS HEAD OFFICE AT
5TH MAIN ROAD, KUMARAPARK WEST,
GUTTAHALLI, BENGALURU-560020.
REPRESENTED BY ITS COMMISSIONER.

**Corrected vide Court order dated 19.06.2026*



3. THE SPECIAL LAND ACQUISITION OFFICER
BANGALORE DEVELOPMENT AUTHORITY,
5TH MAIN ROAD, KUMARAPARK WEST,
GUTTAHALLI, BENGALURU-560020.

...RESPONDENTS

(BY SRI HARISHA A.S. AGA FOR R-1;
SRI B.S. SACHIN, ADVOCATE FOR R-2 & R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE 2ND RESPONDENT TO CONSIDER THE REPRESENTATION ISSUED BY THE RESPONDENT NOS.2 AND 3 UNDER THE PROVISION OF SECTION 38D OF THE BANGALORE DEVELOPMENT AUTHORITY ACT, 1976 DATED 25.03.2025 AS PER ANNEXURE-'A' AND ANNEXURE-'B' FOR SCHEDULE ITEM NO.1 AND 2 AND ETC.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

The petitioners are seeking for the following relief:

"1. Direct by issuance of Writ in the nature of Mandamus, directing the 2nd Respondent to consider the Representation issued to the Respondent No.2 and 3 under the provisions of Section.38D of the Bangalore Development Authority Act, 1976 dated 25-03-2025 as per Annexure-'A' and Annexure-'B' for Schedule Item No.1 and 2.

2. Direct by issuance of Writ in the nature of Mandamus, directing the 2nd Respondent not to disturb the possession of the Petitioner from the schedule property till the consideration of the



Representation made on 25-03-2025 by the Petitioner for Schedule Item No.1 and 2 vide Annexure-'A & B'.

3. Pass such other order as this Hon'ble Court may deem fit in the above Writ Petition in the interest of justice and equity."

2. Heard the learned counsel for the parties and perused the material on record.

3. Learned counsel for the petitioners contends that petitioner No.1 has been in occupation and enjoyment of the property bearing Site No.39/B formed out of assessment No.17/10A BBMP Katha No.39/B/57/17/10A/349 and petitioner No.2 has been in possession of Site No.20/A formed out of 17/10A BBMP Katha No.20/A/57/17/10A/361A New No.361A situated at Thanisandra Village, K.R. Pura Hobli, Bengaluru East Taluk, Bengaluru, for more than 30 years. The petitioners had submitted representations to respondent Nos.2 and 3-BDA, seeking regularization of such occupation under Section 38D of the Bangalore Development Authority Act, 1976 (hereinafter referred to as the 'BDA Act' for short).



4. It is contended that, despite submitting of the representations in March, 2025 (Annexures-A and B), the respondents have not yet considered or acted upon it.

5. Learned counsel for respondent Nos.2 and 3 submits that the petitioners' representations would be duly considered in accordance with law, if a reasonable time is granted.

6. The submission is recorded.

7. In view of the above submission, the grievance would stand redressed if appropriate directions are issued to respondent Nos.2 and 3 to consider the representations expeditiously.

8. Accordingly, respondent Nos.2 and 3 are directed to consider and dispose of the petitioners' representations dated 25.03.2025 (Annexures-A and B) in accordance with law, within an outer limit of two months from the date of receipt of a certified copy of this order.



9. It is further ordered that, until such consideration and decision, respondent Nos.2 and 3 shall not take any coercive steps against the petitioners or disturb their possession of the schedule property.

10. With these directions, the Writ Petition stands ***disposed of.***

Sd/-

JUSTICE K.S. HEMALEKHA