



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2025

BEFORE

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

WRIT PETITION NO.26347 OF 2025 (LA-BDA)

BETWEEN:

SRI BASAPPA,
S/O. LATE DODDARUDRAPPA,
AGED ABOUT 83 YEARS,
R/AT. NO.41, AKSHI,
ANNAPOORNESHWARI LAYOUT,
AMBA BHAVANI TEMPLE ROAD,
VIDYARANYAPURA, BENGALURU-560 097.

...PETITIONER

(BY SRI PRAKASH TIMMANNA HEBBAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BENGALURU DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD, KUMARAPARK WEST,
BENGALURU-560 020.
2. THE COMMISSIONER,
BENGALURU DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD, KUMARAPARK WEST,
BENGALURU-560 020.
3. THE SPECIAL LAND ACQUISITION OFFICER,
DR. SHIVARAMKARANTH LAYOUT,
BENGALURU DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARAPARK WEST,
BENGALURU-560 020.

...RESPONDENTS

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

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE DIRECTION TO
THE RESPONDENT NO.3 TO MEANINGFULLY CONSIDER THE

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA



REPRESENTATION SUBMITTED BY THE PETITIONER AT ANNEXURE-A VIDE DATED 02.07.2025 TAKING INTO CONSIDERATION THE OVERALL BACKGROUND OF THE CASE OF THE PETITIONER AND ETC.,

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

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

ORAL ORDER

The petitioner has approached this Court seeking for the following reliefs:

"(A) To issue a writ of certiorari or any other appropriate writ or order or direction to the respondent No.3 to meaningfully consider the representation submitted by the petitioner at Annexure-A vide dated 02/07/2025 taking into consideration the overall background of the case of the petitioner and

(B) further direct the 2nd respondent to acquire the petitioner's land described in the schedule and grant compensation by way of 40% sites in Dr. Shivaramkaranth Layout in Sy. No. 62/P1, as the same has been given to the other land owners in the same layout formed in the adjacent land of the same village J.B. Kaval, Yelahanka Hobli, Yelahanka Taluk and like others as provided under Article 14 of the Constitution of India, as per Annexure-A;



(C) To grant such other or further relief/s as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case, including the cost of this proceeding, in the interest of justice."

2. Heard learned counsel for the petitioner, learned AGA for respondent No.1 and learned counsel for respondent Nos. 2 and 3.

3. Respondent 2-Bangalore Development Authority (BDA) has filed statement of objections stating that the petitioner is entitled for compensation only for the extent of land acquired by the BDA for forming the 'Dr. K.Shivarama Karanth Layout' and not any portion that has been regularized.

4. Petitioner's counsel has filed a memo which reads thus:

"Petitioner respectfully submits as follows:

The 2nd Respondent BDA has acquired the petitioner's land measuring 5 acres 26 guntas in Sy. No.62/P1 of Jarakabandekaval Village.



Petitioners are entitled to 40% of developed sites under 60:40 scheme i.e., 9583 square feet per acre.

Therefore, petitioners are entitled to 54,143 square feet. Out of 54,143 square feet, BDA has already regularized building area measuring 3190 square feet in the schedule property.

Therefore, petitioners are entitled to 50953 sq.ft. of developed sites in lieu of acquisition after deducting the above said regularized area of 3190 sq. ft of existing building area.

Hence, it is prayed that this Memo may be taken on record in the interest of justice and equity."

5. Learned counsel for the petitioner submits that the representation at Annexure-A includes the regularized area as well, and present memo is filed to clarify the same. It is therefore prayed that the respondents be directed to consider the representation in light of the memo.

6. The memo and the submission of the learned counsel of the petitioner are taken on record.

7. Learned counsel for respondents-BDA submits that the memo by the petitioner be treated as a



representation and appropriate orders will be passed in accordance with law, within a reasonable time.

8. In view of the above submission, grievance of the petitioner stands redressed, if necessary directions are issued to the respondents-BDA to consider the petitioner's claim in light of the memo filed. Accordingly, this Court pass the following :

ORDER

- (i) Writ Petition is ***disposed of.***
- (ii) Respondents-BDA shall treat the memo filed by the petitioner as a representation and shall pass appropriate orders in accordance with law, within an outer limit of eight weeks from the date of receipt of the certified copy of this order.

Sd/-

JUSTICE K.S. HEMALEKHA