

**WP NO. 32441/2025 (LB - RES) Connected Cases: WP NO.
676/2026**

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[SRI SRIKANTAIAH VS. THE COMMISSIONER AND OTHERS]

25.06.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

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

ORAL ORDER

IN WP NO. 32441/2025:

On 09.02.2026, there is an undertaking given to this Court on behalf of the petitioner in W.P.No.676/2026 to remove the constructions complained against and there will be no further construction. This Court, after this undertaking, has repeatedly adjourned the matter on petitioner's request.

Today, Mr. R. P. Somashekaraiah, the learned counsel for the petitioner, files an affidavit sworn to by the petitioner, and this affidavit is not to remove the construction but to continue the construction referring to certain Regulations. This affidavit cannot be accepted as it will be in the teeth of the undertaking that is given to this Court on 09.02.2026. This Court is also of the opinion that this affidavit is another effort of nonchalance in the judicial proceedings and that

must be met with cost. At this stage, Mr. R. P. Somashekariah makes a request for time to file an application to withdraw the undertaking given on 09.02.2026. There could be an opportunity in this regard, but there must be payment of cost.

Hence, the petitions are adjourned to be called on **02.07.2026** directing the petitioner in W.P.No.676/2026 to pay to the other petitioner a cost of Rs.20,000/- by the next date of hearing.

**(B M SHYAM PRASAD)
JUDGE**