



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 113311 OF 2019 (KLR-RR/SUR)

BETWEEN:

SHRI VITHAL S/O BHAGANNA MUTAGEKAR,
AGE: 75 YEARS, OCC: AGRICULTURE,
R/O: POTE GALLI, DESUR VILLAGE,
TQ. AND DIST: BELAGAVI.

... PETITIONER

(BY SRI. SANTOSH.B.RAWOOT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
VIDHANA SOUDHA,
BENGALURU-560 001.
2. THE LAND TRIBUNAL, BELAGAVI
REPRESENTED BY ITS CHAIRMAN,
BELAGAVI TALUK AND DIST: BELAGAVI.
3. SHRI ANANT GOPAL SADEKAR,
AGE: MAJOR, OCC: BUSINESS,
R/O: 39/21, MAHADEV KRUPA,
II FLOOR, KACHARWADI,
ERANDWAD, PUNE.
4. SHRI PRABHAKAR VINAYAK SADEKAR,
AGE: MAJOR, OCC: BUSINESS,
R/O: 39/21, MAHADEV KRUPA,
II FLOOR, KACHARWADI,
ERANDWAD, PUNE.



5. SMT. SUMITRA VINAYAK SADEKAR,
AGE: MAJOR, OCC: BUSINESS,
R/O: 39/21, MAHADEV KRUPA,
II FLOOR, KACHARWADI,
ERANDWAD, PUNE.
6. SHRI RAVINDRA S/O ANANT SADEKAR,
AGE: 60 YEARS, OCC: SERVICE,
R/O: 39/21, MAHADEV KRUPA,
II FLOOR, KACHARWADI,
ERANDWAD, PUNE.
7. SHRI BHAVUSAHEB KRISHNA VASUKAR,
AGE: MAJOR, OCC: SERVICE,
R/O: NANDIHALLI ROAD,
DESUR VILLAGE,
TQ. AND DIST: BELAGAVI.
8. SHRI SATISH RAMAJI CHAVAN,
AGE: MAJOR, OCC: AGRICULTURE,
R/O: KALSEKAR GALLI, DESUR VILLAGE,
TQ. AND DIST: BELAGAVI.
9. SHRI VASANT S/O BHAGANNA MUTAGEKAR,
AGE: 80 YEARS, OCC: AGRICULTURE,
R/O: POTE GALLI, DESUR VILLAGE,
TQ. AND DIST: BELAGAVI.
10. SHRI NARAYAN S/O BHAGANNA MUTAGEKAR,
AGE: 77 YEARS, OCC: AGRICULTURE,
R/O: POTE GALLI, DESUR VILLAGE,
TQ. AND DIST: BELAGAVI.

... RESPONDENTS

(BY SMT. MALA.B.BHUTE, AGA FOR R1 AND R2;
SRI. CHETAN MUNNOLI, ADVOCATE FOR R4, R6;
NOTICE TO R3, R5, R7-R10 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.



THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Santosh B.Rawoot., counsel for the petitioner and Smt.Mala B.Bhute., AGA for respondents 1 and 2-State have appeared in person.

2. The order of the Land Tribunal dated 17.08.1979 is called in question in this writ petition on several grounds, as set out in the memorandum of the writ petition.

3. Counsel for the respective parties presented their contentions.

4. Sri Santosh B. Rawoot, counsel for the petitioner, while presenting his arguments, submits that the order has been passed against a dead person and that the petitioner was not aware of the same. He further submits that, after the death of his father, the petitioner's name was entered in the revenue records, and therefore seeks to justify the filing of the writ petition in the year 2019 challenging the order of the Land Tribunal.



5. Heard the arguments and perused the writ papers with care.

6. The order of the Land Tribunal is produced along with the writ petition and is marked as Annexure-C. The Land Tribunal passed the order in the year 1979, whereas the present petition has been filed in the year 2019. There is an inordinate delay of 40 years. No averments have been made in the writ petition explaining the delay and laches. Hence, the writ petition is liable to be dismissed on the ground of delay and laches. Accordingly, it is dismissed.

7. Since this Court has dismissed the writ petition on the ground of delay and laches, the merits of the case are not considered.

Sd/-
(JYOTI M)
JUDGE

AM/-
LIST NO.: 1 SL NO.: 43