



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 107549 OF 2018 (LB-RES)

BETWEEN:

SHRI. PRAKASH S/O KASTURCHAND OSWAL,
AGE: 57 YEARS, OCC: BUSINESS,
R/O: C.T.S. NO.1996, K.V. OSWAL,
GANAPAT GALLI/PANGUL GALLI,
BELAGAVI.

... PETITIONER

(BY SRI. ABHILASH HANUMANNAVAR, ADVOCATE FOR
SRI. SHREEVATSA HEGDE, ADVOCATE)

AND:

1. THE COMMISSIONER,
CITY CORPORATION OF BELAGAVI
AND MEMBER DISTRICT LEVEL TASK FORCE,
SUBHASH NAGAR, BELAGAVI.
2. THE STATE OF KARNATAKA,
DEPARTMENT OF MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT,
(REPRESENTED BY ITS SECRETARY),
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU.
3. THE DEPUTY COMMISSIONER,
BELAGAVI.
4. THE COMMISSIONER OF POLICE,
CITY OF BELAGAVI.
5. THE BELAGAVI URBAN DEVELOPMENT AUTHORITY,
REPRESENTED BY ITS COMMISSIONER,
ASHOK NAGAR, BELAGAVI.

... RESPONDENTS

(BY SRI. P.N. HATTI, HCGP FOR R2 TO R4;
SRI. CHETAN MUNNOLI, ADVOCATE FOR R1;
SRI. M.A. HULYAL, ADVOCATE FOR R5)



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.Abhilash Hanumannavar., counsel on behalf of Sri.Shreevatsa Hegde., of the petitioner, Sri.Chetan Munnoli., counsel for respondent No.1 and Sri.P.N.Hatti., HCGP for respondents 2 and 4 have appeared in person.

2. The petition is filed seeking following reliefs:

"1. Issue a Writ of mandamus directing the Respondents to desist from demolishing the constructions buildings in occupation of the Petitioner situated at CTS.No.1996, 1A & 2A all situate at Ganapat Galli/Pangul Galli, Belagavi and dispossessing them except by taking recourse to law.

2. Issue a Writ of mandamus directing the Respondent No.1 to provide alternative premises to compensate the Petitioner as per the assurance dated: 28.04.1997 vide

ANNEXURE-E."

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the papers with care.



4. Counsel for Respondent No. 1, on instructions, submits that the respondents have not taken any steps to demolish the subject property as of today.

5. Taking note of the said submission, the petitioner cannot have any grievance as of today. It is evident that the writ petition is filed based on a mere apprehension. Such future apprehension cannot be considered at this stage. Accordingly, the writ petition stands ***disposed of***.

6. It is made clear that, in the event Respondent No. 1 intends to widen the road, such action shall be strictly in consonance with due process of law.

**Sd/-
(JYOTI M)
JUDGE**

MRP
LIST NO.: 1 SL NO.: 21