



NC: 2026:KHC-D:4640
WP No. 102438 of 2022

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 102438 OF 2022 (LB-RES)

BETWEEN:

NAGESH @ NAGAPPA NAVALAGI,
AGE. 46 YEARS, OCC. AGRICULTURE,
R/O. 347 TURAMARI VILLAGE,
TALUKA: BAILHONGAL ,
DISTRICT: BELAGAVI-591102.

...PETITIONER

(BY SRI. SRINIVAS.B.NAIK, ADVOCATE)

AND:

1. THE EXECUTIVE OFFICER,
TALUKA PANCHAYAT,
BAILHONGAL-591102.
2. THE PANCHAYAT DEVELOPMENT OFFICER,
GRAM PANCHAYAT,
TURAMARI-591102.
3. THE SPECIAL LAND ACQUISITION OFFICER,
IRRIGATION
MALAPRABHA PROJECT SAUNDATTI-591126.
4. SRISHAIL BEEMAPPA NAVALGI,
AGE. MAJOR, R/O. TURAMARI VILLAGE,
TALUKA: BAILHONGAL,
DISTRICT: BELAGAVI-591102.

...RESPONDENTS

(BY SRI.P.N.HATTI, HCGP FOR R3;
NOTICE TO R1, R2, R4 IS SERVED AND UNREPRESENTED)

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. Srinivas B.Naik, counsel for the petitioner and Sri.P.N.Hatti, HCGP for respondent No.3, have appeared in person.

2. The petition is filed seeking the following reliefs.

- i) Issue Writ of Certiorari or any other order or direction, and quash the impugned order dated 08.08.2019 passed by the 1st respondent, vide Annexure-D. Further, direct the 2nd respondent to enter the name of the petitioner in the VPC records pertaining to Site No.389 of Turmari Village in the ends of justice and equity.
- ii) And grant such other relief or reliefs as this Court deems fit to grant in the circumstances of the case, in the interest of justice and equity.

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

4. The petitioner's father was allotted Site No.389 on 02.01.1976 pursuant to the rehabilitation of displaced persons of Turmari Village. The petitioner's family has been in continuous possession since the date of allotment.



Respondent No.4, after an inordinate delay of about 42 years, filed an appeal in 2018 before the Executive Officer, Taluk Panchayat, Bailhongal, challenging the entry relating to the said site. The Executive Officer, by order dated 08.08.2019, set aside the entry.

This Court finds the said order unsustainable. The allotment was made by the Government as part of a rehabilitation scheme, and the provisions of the Gram Panchayat Act could not have been invoked to challenge such a grant. Furthermore, the extraordinary delay in filing the appeal renders the claim untenable.

5. Accordingly, the writ petition is ***allowed***. A writ of certiorari is issued, and the order dated 08.08.2019 passed by the first respondent (Annexure-D) is hereby quashed.

Sd/-
(JYOTI M)
JUDGE

MRP
List No.: 1 Sl No.: 32