



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 26TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 102478 OF 2022 (LB-RES)

BETWEEN:

1. SMT. SIMRAN W/O KASHIMALI SAYAD,
AGE. 45 YEARS, OCC. BUSINESS,
R/O. VIKASNAGAR,
NEAR CAMERIAN SCHOOL,
OPP. TO REGISTRAR OFFICE,
KOPPAL, DIST.KOPPAL, PIN-583 283.
2. SRI. KASHIMALI SAYAD,
AGE. 60 YEARS, OCC. BUSINESS,
R/O. VIKASNAGAR,
NEAR CAMERIAN SCHOOL,
OPP. TO REGISTRAR OFFICE,
KOPPAL, DIST.KOPPAL, PIN-583 283.

... PETITIONERS

(BY SRI. D.V. PATTAR, ADVOCATE FOR
SRI. ANAND.R.KOLLI, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
GADAG, PIN-581 117.
2. TOWN MUNICIPAL COUNCIL,
REP. BY ITS COMMISSIONER,
GADAG-BETAGERI,
DIST.GADAG, PIN-581 117.

... RESPONDENTS

(BY SRI. P.N. HATTI, HCGP FOR R1;
SRI. RAJASHEKHAR.R.GUNJALLI, ADVOCATE FOR R2)



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.D.V.Pattar., counsel on behalf of Sri.Anand R.Kolli., for the petitioner, Sri.P.N.Hatti., HCGP for respondent No.1 and Sri.Rajashekhar R.Gunjalli., counsel for respondent No.2. have appeared in person.

2. The petition is filed seeking following reliefs:

*"a) Issue a writ in the nature of certiorari quashing the impugned notice dated 14.06.2022 issued by the respondent No.2 authority vide **Annexure-F** (in respect of petitioner 2 only) in the interest of justice and equity.*

*b) Issue a writ in the nature of certiorari quashing the impugned notice dated 14.06.2022 respectively passed by the respondent No.2 authority vide **Annexure-G** (in respect of petitioner 1 only) in the interest of justice and equity.*

c) Pass any other order as this Hon'ble Court deems fits on the facts and circumstances of the case."



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

4. The impugned notices concerning the alleged encroachment were issued to the petitioners in the year 2022. It is observed that the petitioners, without submitting any appropriate reply to the said notices, have hastily approached this Court by way of the present writ petition.

In the circumstances, this Court deems it fit and proper to direct the petitioners to submit a detailed and appropriate reply to the impugned notices within a period of four (4) weeks from the date of receipt of a certified copy of this order. Upon receipt of such reply, Respondent No. 2 shall consider the representation of the petitioners and pass a reasoned and speaking order in accordance with law within a further period of four (4) weeks thereafter.

It is further directed that the concerned authority shall not precipitate the matter or take any coercive steps against the



**NC: 2026:KHC-D:4726
WP No. 102478 of 2022**

petitioners until the reply is considered and an appropriate order is passed as directed above.

5. With the aforesaid observations and directions, the writ petition stands ***disposed of***.

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

MRP
LIST NO.: 1 SL NO.: 46