



**IN THE HIGH COURT OF KARNATAKA AT DHARWAD**

**DATED THIS THE 1<sup>ST</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE C.M. POONACHA**

**WRIT PETITION NO.105370 OF 2026 (LB-RES)**

**BETWEEN:**

MANJUNATH S/O. BASAVANTAPPA SAJJANAR,  
AGE: 46 YEARS, OCC. AGRICULTURE,  
R/O. NEAR BHUDIBASAVESHWAR TEMPLE,  
LAKKUNDI, TQ. AND DIST. GADAG-582115.

...PETITIONER

(BY SRI. H.N. GULARADDI, ADVOCATE)

**AND:**

1. THE EXECUTIVE OFFICER,  
ZILLA PANCHAYAT,  
TQ. AND DIST. GADAG-582103.
2. THE EXECUTIVE OFFICER,  
TALUK PANCHAYAT,  
TQ. AND DIST. GADAG-582115.
3. THE PRESIDENT,  
GRAM PANCHAYAT LAKKUNDI,  
TQ. AND DIST. KOPPAL-582115.
4. THE PANCHAYAT DEVELOPMENT OFFICER,  
LAKKUNDI VILLAGE PANCHAYAT,  
TQ. AND DIST. GADAG-582115.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I)ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT AND QUASH THE ORDER PASSED BY RESPONDENT NO.01 DATED 18/06/2026 PRODUCED AT ANNEXURE-F IN THE INTEREST OF JUSTICE AND EQUITY. II) PASS SUCH OTHER ORDER OR ORDERS AS





THIS HON'BLE COURT MAY DEEM FIT IN THE CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

**ORAL ORDER**

The present petition is filed seeking to impugn the order dated 18.06.2026 passed by respondent No.1 - Zilla Panchayat (Annexure-F to the writ petition).

2. The relevant facts in a nutshell are that by a resolution dated 08.01.2003, the respondent No.3 - Gram Panchayat, Lakkundi, resolved to mutate the name of the Gram Panchayat in the revenue records pertaining to an extent of 08 acres of land in R.S.No.395/6 of Lakkundi village<sup>1</sup>. It is the case of the petitioner that, the subject property was owned by the grandfather of the petitioner and after his demise, there was an oral partition, consequent to which, the subject property fell to the share

---

<sup>1</sup> Hereinafter referred to as the 'subject property'



of the father of petitioner and the revenue records were entered in the name of the father of petitioner.

3. Being aggrieved by the resolution dated 08.01.2003, the petitioner filed an appeal under Section 237 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993<sup>2</sup>, before respondent No.2 - Taluk Panchayat. The said appeal was allowed vide order dated 25.11.2017 (Annexure-C to the writ petition). Being aggrieved, respondent No.4 - Panchayath Development Officer<sup>3</sup> and respondent No.3 - Lakkundi Gram Panchayath preferred a revision under Section 234 of the Act. Along with the said revision, an application was filed under Section 5 of the Limitation Act, 1963<sup>4</sup>, seeking to condone the delay. The petitioner filed objections to the revision petition as well as the application filed for condonation of delay.

---

<sup>2</sup> Hereinafter referred to as the 'Act'

<sup>3</sup> Hereinafter referred to as the 'PDO'

<sup>4</sup> Hereinafter referred to as the 'Act of 1963'



4. It is the case of the petitioner that there was a delay of more than 8 years in impugning the order dated 25.11.2017 (Annexure-C to the writ petition), and the said delay, being inordinate, has not been adequately explained. Respondent No.1 – Zilla Panchayat, vide order 18.06.2006 (Annexure-F to the writ petition), condoned the delay. Being aggrieved, the present writ petition is filed.

5. It is the vehement contention of the learned counsel for the petitioner that no adequate reasons have been given to condone the inordinate delay of more than 8 years. It is further contended that even in the application filed for condonation of delay, no sufficient cause has been set out.

6. It is pertinent to note that in the impugned order dated 18.06.2026 (Annexure-F to the writ petition), while condoning the delay, respondent No.1 had noticed that, "delay does not take away Government right". In the



affidavit filed in support of the application for condonation of delay, it is deposed by respondent No.4 - PDO that, due to various works and inspection, his predecessors did not file the revision within time, and that the delay was not intentional. It is relevant to note that, in the revision, respondent No.4 - PDO has sought to assert that the appeal filed by the petitioner under Section 237 of the Act is not maintainable and that the entertaining of the appeal was without the authority of law. It is also relevant to note that the appeal of the petitioner filed under Section 237(1) of the Act was filed on 23.05.2017, which was more than 14 years, after the resolution dated 08.01.2003, which resolution was sought to be impugned in the said appeal.

7. Having regard to the fact that the revision is pending consideration before respondent No.1 - Zilla Panchayat, and in view of the peculiar facts and circumstances as noticed above, it is the considered opinion of this Court that the extraordinary discretionary



jurisdiction contained under Article 226 of the Constitution of India ought not to be invoked in the present case.

8. Accordingly, the present petition stands ***rejected.***

9. In view of dismissal of petition, pending IAs, if any, shall stand dismissed.

**SD/-**  
**(C.M. POONACHA)**  
**JUDGE**

PMP  
CT:PA  
LIST NO.: 1 SL NO.: 32