



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.104905 OF 2025 (LB-RES)

BETWEEN:

SHRI MAHADEV S/O. BHIMAPPA NAIK,
AGE: 53 YEARS, OCC. BUSINESS,
R/O. SHOP NO.7, NEHRU COMMERCIAL COMPLEX,
NEAR DR. AMBEDKAR CIRCLE,
ATHANI, DIST. BELAGAVI-591304.

...PETITIONER

(BY SRI. SANGRAM S. KULKARNI, ADVOCATE)

AND:

1. THE PRESIDENT,
TOWN MUNICIPAL COUNCIL,
ATHANI, DIST. BELAGAVI-591304.

2. THE CHIEF OFFICER,
TOWN MUNICIPAL COUNCIL,
ATHANI, DIST. BELAGAVI-591304.

...RESPONDENTS

(BY SRI. ARAVIND D. KULKARNI, ADVOCATE FOR R1 AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO 1) ISSUE A WRIT OF CERTIORARI AND QUASH THE IMPUGNED AUCTION NOTIFICATION ISSUED BY THE RESPONDENTS PUBLISHED IN DAILY NEWS PAPER VIJAYA KARNATAKA DATED 03-07-2025 VIDE ANNEXURE-B IN THE INTEREST OF JUSTICE AND EQUITY. 2) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONTINUE THE LEASE IN FAVOUR OF THE PETITIONER RELATING TO SHOP NO.7 IN NEHRU COMMERCIAL COMPLEX, ATHANI. 3) ISSUE ANY OTHER WRIT, ORDER OR DIRECTION TO WHICH THE PETITIONER IS FOUND ENTITLED TO IN THE PRESENT FACTS AND GROUNDS.





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

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

ORAL ORDER

The learned counsel for petitioner submits that the auction scheduled to be held in terms of auction notice dated 27.06.2025 (Annexure-B to the writ petition) has been cancelled.

2. The present writ petition having been filed to quash the said auction notification dated 03.07.2025, having regard to the subsequent events as noticed above, the relief sought for in the present writ petition has been rendered infructuous. However, the learned counsel for the petitioner seeks liberty to file a fresh petition if cause arises.

3. In view of the aforementioned, the present writ petition is disposed of as having been rendered infructuous.

4. This order will not preclude the petitioner from availing appropriate remedies as may be permissible under law.



**NC: 2026:KHC-D:8593
WP No. 104905 of 2025**

5. In view of disposal of the petition, pending interlocutory applications, if any, do not survive for consideration and are disposed of accordingly.

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

YAN, CT:PA
LIST NO.: 1 SL NO.: 8