



NC: 2026:KHC-D:4641
WP No. 104963 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. 104963 OF 2022 (LB-RES)

BETWEEN:

SMT. REKHA D/O. PUNDALIK NAIK
@ SMT. REKHA W/O. SURESH GAONKAR
AGE. 70 YEARS,
OCC. HOUSEHOLD WORK,
R/O. LIG NO.287/B, KHB COLONY
HABBUWADA, BAAD
TQ. KARWAR
DIST. UTTAR KANNADA-581306

...PETITIONER

(BY SRI. GIRISH.A.YADAWAD, ADVOCATE)

AND:

THE CITY MUNICIPAL COUNCIL
REPRESENTED BY ITS MUNICIPAL COMMISSIONER
KARWAR, TQ. KARWAR
DIST. UTTAR KANNADA-581306.

...RESPONDENT

(BY SRI.S.V.YAJI, ADVOCATE)

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.Girish A.Yadawad., counsel for the petitioner and Sri.S.V.Yaji., counsel for the respondent have appeared in person.

2. The petition is filed seeking following reliefs:

A) Issue a writ in the nature of mandamus directing the respondent not to demolish the petitioner's building situated in LIG 287/B2 of K.H.B Colony, Baad, Karwar taluka, without due process of law, in the interest of justice and equity.

B) Pass such other order or orders as this Hon'ble court would deem fit in the facts and circumstances of the case.

3. Counsel for the respective parties urged several contentions.

4. Counsel for the respondent submits that a memo has been filed placing on record the latest status as on date. It is further submitted that the said memo may be taken on record and appropriate orders be passed.

5. The memo filed on behalf of the respondent is taken on record.



6. Counsel for the petitioner contends that the petitioner has not put up any illegal construction and has not encroached upon any portion of land reserved for a garden.

7. Having regard to the nature of the relief sought in the petition, this Court is of the view that any action, if at all, to be taken by the respondent against the petitioner in respect of the subject property, shall be only in accordance with due process of law.

8. In view of the above, no further consideration of the petition is warranted.

9. Accordingly, the Writ Petition stands ***disposed of*** with the above observations.

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

MRP
List No.: 1 Sl No.: 41