



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 200871 OF 2026 (KLR-CON)

BETWEEN:

SHREESHAIL S/O BHIMAPPA BAGEWADI,
OCC: BUSINESS, AGE: 55 YEARS,
R/O BEHIND Z P OFFICE, KANAKADAS BADAVANE,
HOUSE NO 181, BAGEWADI ROAD,
VIJAYAPUR-586101.

...PETITIONER

(BY SRI. PRAKASH JADHAV, ADVOCATE)

AND:

THE DEPUTY COMMISSIONER,
VIJAYAPUR DISTRICT,
VIJAYAPURA- 586108.

...RESPONDENT

(BY SRI MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION AND QUASH THE IMPUGNED ORDER DATED 20.01.2026 PASSED BY THE KARNATAKA APPELLATE TRIBUNAL BENGALURU, IN REVENUE APPEAL NO. 129 OF 2022, PRODUCED AS ANNEXURE-E WHERE BY THE ORDER OF THE RESPONDENT HAS BEEN CONFIRMED. B) CONSEQUENTLY SET ASIDE THE ORDER PASSED BY THE



RESPONDENT REJECTING THE PETITIONERS APPLICATION FOR CONVERSION OF LAND BEARING SURVEY NO 23/*/7 MEASURING 2 ACRES 30 GUNTAS SITUATED AT KASBA VILLAGE VIJAYAPURA TALUK AND DISTRICT. C) ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENT TO CONSIDER AND GRANT CONVERSION OF THE PETITIONERS LAND FROM AGRICULTURAL TO NON AGRICULTURAL (COMMERCIAL) PURPOSE IN ACCORDANCE WITH THE PROVISION OF THE KARNATAKA LAND REVENUE ACT AND RULES FRAMED THEREUNDER. D) PASS ANY OTHER SUITABLE ORDER OR ORDERS AS THIS HON'BLE COURT MAY DEEMS FIT AND PROPER UNDER 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 S.VISHWAJITH SHETTY

ORAL ORDER

1. This writ petition under Articles 226 & 227 of the Constitution of India is filed seeking for the following reliefs:

(a) Issue a writ in the nature of certiorari or any other appropriate writ, order or direction and quash the impugned order dated 20.01.2026 passed by the Karnataka Appellate Tribunal, Bengaluru, in Revenue Appeal No.129 of 2022, produced as Annexure-E, whereby the order of the respondent has been confirmed;

(b) Consequently, set aside the order passed by the respondent rejecting the petitioner's application



for conversion of land bearing Survey No.23//7, measuring 2 acres 30 guntas situated at Kasba village, Vijayapur taluk and district;*

(c) Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction directing the respondent to consider and grant conversion of the petitioner's land from agricultural to non-agricultural (commercial) purpose in accordance with the provisions of the Karnataka and Revenue Act and the Rules framed thereunder;

(d) Pass any other suitable order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

2. Heard the learned counsel for petitioner and the learned Additional Government Advocate for the respondent.

3. Petitioner who claims to be the absolute owner in possession of the land bearing Survey No.23/7, measuring 2 acres 30 guntas, situated at Kasba village, taluk and district Vijayapura, had filed an application on 07.03.2021 before the respondent seeking conversion of his aforesaid land from agriculture to non-agriculture purpose. The said application was rejected by the respondent-Deputy Commissioner on 26.08.2021 on the ground that, the said land was notified under



Farmers Co-habilitation Scheme in the ratio of 50:50 under the notification dated 13.08.2010, notified in the official Gazette on 25.08.2010. The order passed by the Deputy Commissioner has been confirmed in the Revision Appeal No.129/2022 by the Karnataka Appellate Tribunal, Bengaluru, vide order dated 20.01.2026. It is under these circumstances, the petitioner is before this Court.

4. Learned counsel for the petitioner submits that, the scheme proposed by the State Government under the notification dated 13.08.2010 notified in the official Gazette on 26.08.2010 has been declared as lapsed by the Division Bench of this Court in W.A.No.200165/2023 disposed of on 02.12.2024. Under similar circumstances, in W.P.No.202806/2022 this Court had directed the Deputy Commissioner to reprocess the application filed for conversion. Therefore, the impugned order cannot be sustained.

5. Per contra, learned Additional Government Advocate who has argued in support of the impugned order, however, does not dispute the submission made by the learned counsel for the petitioner and he also does not dispute that the property



in question belonging to the petitioner is the subject matter of the very same notification that fell into consideration before this Court in W.A.No.200165/2023.

6. Since the proposed scheme under the aforesaid notification has been now declared as lapsed by the Division Bench of this Court in W.A.No.200165/2023 and several other writ petitions by the co-ordinate Bench of this Court, I am of the opinion that, the impugned orders at Annexure-C dated 26.08.2021 passed by the respondent-Deputy Commissioner and at Annexure-E dated 20.01.2026 passed by the Karnataka Appellate Tribunal, Bengaluru, in Rev. Appeal No.129/2022 cannot be sustained.

7. Accordingly, the following:

ORDER

(i) The writ petition is allowed;

(ii) The impugned order at Annexure-C dated 26.08.2021 passed by the respondent-Deputy Commissioner and at Annexure-E dated 20.01.2026 passed by the Karnataka Appellate Tribunal in Rev.



Appeal No.129/2022 are quashed and the matter is remitted to the Deputy Commissioner to re-consider the application of the petitioner seeking conversion of the aforesaid land afresh in accordance with law and pass appropriate orders as expeditiously as possible, but not later than a period of two months from the date of receipt of copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SVH
List No.: 1 Sl No.: 16
CT:PK