



**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 13<sup>TH</sup> DAY OF OCTOBER, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.G.S.KAMAL**

**WRIT PETITION NO. 202880 OF 2025 (LA-RES)**

**BETWEEN:**

SMT. SUNITA S/O SHIVAJI SAVALAGI,  
AGE: 45 YEARS, OCC: AGRICULTURE,  
R/O. BABANAGAR, TQ. TIKOTA,  
DIST. VIJAYAPURA-586114.

...PETITIONER

(BY SRI NARENDRA M. REDDY, ADVOCATE)

**AND:**

1. UNION OF INDIA,  
RESPECTED BY ITS SECRETARY  
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS  
TRANSPORT BHAWAN, 1, PARLIAMENT STREET,  
NEW DELHI- 110001.
2. THE CHAIRMAN  
NATIONAL HIGHWAY AUTHORITY OF INDIA,  
PLOT NO.G-5 AND 6 DABRI GURGAON ROAD,  
DWARKA SECTOR 10, DELHI-110075.
3. THE REGIONAL OFFICE  
NATIONAL HIGHWAYS AUTHORITY OF INDIA,  
SY NO.13 14<sup>TH</sup> KM, NEAR DEEPAK BUS STOP  
NAGASANDRA, MS RAMAIAH ENCLAVE,  
BENGALURU - TUMKUR ROAD (NH-4),  
BENGALURU- 560073.

Digitally signed  
by SACHIN  
Location: HIGH  
COURT OF  
KARNATAKA



4. THE PROJECT DIRECTOR  
NATIONAL HIGHWAY AUTHORITY OF INDIA,  
PLOT NO.65, KOTHARI LAYOUT,  
VENKATESH NAGAR, KALABURAGI- 585103.
5. THE DEPUTY COMMISSIONER  
VIJAYAPURA- 586101.
6. THE ASSISTANT COMMISSIONER AND  
COMPETENT AUTHORITY,  
NH 166E, VIJAYAPURA- 586101.
7. THE EXECUTIVE ENGINEER,  
NATIONAL HIGHWAY DIVISION,  
VIJAYAPURA- 586101.

...RESPONDENTS

(BY SRI SUDHIRSINGH R. VIJAPUR, DSGI FOR R1 AND R2;  
SRI SANTOSH MARADI, ADVOCATE FOR R3 AND R4;  
SRI SHESHADRI JAISHANKAR, AGA FOR R5 TO R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ALLOW THIS WRIT PETITION AND ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION TO (I) NOT TO TAKE ANY COERCIVE STEPS AGAINST PETITIONER PROPERTY BEARING NO.150700204000120022 MEASURING 69.730000 SQ.MTRS SITUATED AT BABANAGAR, TQ.TIKOTA, DIST. VIJAYAPURA, WITHOUT FOLLOWING DUE PROCESS OF LAW; (II) GRANT SUCH OTHER RELIEF THAT THIS COURT MAY DEEM FIT IN THE FACTS AND CIRCUMSTANCES OF THE MATTER.



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

CORAM: HON'BLE MR. JUSTICE M.G.S.KAMAL

**ORAL ORDER**

(PER: HON'BLE MR. JUSTICE M.G.S.KAMAL)

In this petition, petitioner claims to be the owner of  
property bearing No.150700204000120022 measuring  
69.730000 sq.mtrs. situated at Babanagar, Tikota Taluk,  
Vijayapura District.

2. The grievance of the petitioner is that the  
respondents-authorities without acquiring the land of the  
petitioner are utilizing the same for the purpose of  
formation of service road. That action of the respondents  
in utilizing the property belonging to the petitioner by  
demolishing the house existing thereon, without due  
process of law is contrary to the provisions of Article 300A  
of the Constitution of India. Therefore, the petitioner seeks  
necessary direction to the respondent -authorities to



utilize the land, if they require, in the manner known to law.

3. In response, learned DSGI appearing for respondent Nos.1 and 2, learned counsel for respondent Nos.3 and 4 as well as learned Additional Government Advocate appearing for respondent Nos.5 to 7 submit in unison that the respondents-authorities have no intention to utilize the property of the petitioner without due process of law as alleged. It is further submitted by learned counsel appearing for the respondents-authorities that if in the event of respondents-authorities intending to utilize the property of the petitioner, they would ensure that the same is acquired in the manner known to law and proceed thereafter.

4. The said submission is taken as an undertaking to this Court.

5. In that view of the matter, the petition is disposed of directing the respondents-authorities to utilize



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**WP No. 202880 of 2025**

the property of the petitioner, if and when required, only in the manner known to law i.e., by acquiring the same in accordance with the relevant/applicable provisions of law.

**Sd/-**  
**(M.G.S.KAMAL)**  
**JUDGE**

SWK  
List No.: 1 Sl No.: 43  
CT:PK