

sub-station. The said land was a part of an approved layout known as MCEHCS, a residential colony. The plot in dispute was earmarked for civic amenities. According to the appellant, under the scheme of the local enactments of the State of Karnataka, such earmarked land in the layout plan could only be utilized for ‘parks and open space’ and cannot be diverted for any other purpose.

The question underwent a two tier scrutiny before the High Court and at both levels, the submission of the appellant was rejected. Apart from that, the appellant is a society registered under the Karnataka Societies Registration Act, 1960 running an educational institution-purely in the hands of private parties. The dispute such as one raised by the appellant, in our view, is certainly not a dispute in public interest. Therefore, we do not see any reason to interfere with the judgment under appeal. The appeal is dismissed.

.....**J.**
(J. CHELAMESWAR)

.....**J.**
(A.K. SIKRI)

New Delhi;
 September 24, 2014

ITEM NO.102

COURT NO.9

SECTION IVA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 859/2004

SAHAKARA EDUCATION SOCIETY

Appellant(s)

VERSUS

THE COMMISSIONER, BDA & OTHERS

Respondent(s)

Date : 24/09/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE A.K. SIKRI

For Appellant(s) Mr. Basava Prabhu S. Patil, Sr. Adv.
Mr. Anirudh Sanganeria, Adv.
Mr. B. Subrahmanya Prasad, Adv.
Mr. A. S. Bhasme, Adv.

For Respondent(s) Mr. Altaf Ahmed, Sr. Adv.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

Mr. Khwairakpam Nobin Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed
order.

(DEEPAK MANSUKHANI)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER

(Signed order is placed on the file)