

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.859 of 2004

Sahakara Education Society Appellant
Versus
The Commissioner, BDA & Others Respondents

ORDER

Aggrieved by the judgment dated 05.12.2002 of the Karnataka High Court in Writ Appeal No.6122 of 2002, the unsuccessful appellant preferred the instant appeal.

By the impugned judgment, the Division Bench of the Karnataka High Court affirmed the order dated 25.10.2002 of a learned Single Judge holding that the Writ Petition No.38295 of 2002 is without any merit.

The writ petition itself was filed purportedly in public interest challenging the proceeding of the first respondent dated 05.05.2000
Signature Not Verified

Digitally signed by
Deepak Mansukhani

by which a certain piece of land was allotted to the second
Date: 2014.10.13
17:00:23 IST
Reason:

respondent-Karnataka Power Transmission Corporation Limited
(KPTCL) on lease for a period of 30 years to enable it to construct a

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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.

(DEEPAK MANSUKHANI)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER

(Signed order is placed on the file)