

ITEM NO.1

Court No.9

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA NOS. 3 & 4 IN CIVIL APPEAL NO(s). 3308 OF 1997

VISHALAKSHI DEVI

Appellant (s)

VERSUS

STATE OF KARNATAKA

Respondent(s)

(With appln(s) for stay and exemption from filing O.T. and office report)

WITH

I.A. NOS. 11-12 IN CIVIL APPEAL NOS. 3309-3310 OF 1997

(For stay and office report)

I.A. NO. 3 IN CIVIL APPEAL NO. 3307 OF 1997

(For stay and office report)

Date: 14/09/2012 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For the parties:

Mr. Vijay Hansaria, Sr. Adv.

Mr. N.M. Popli, Adv.

Ms. Sneha Kalita, Adv.

Mr. Zajinder Kaur, Adv.

Mr. Bhagmal Singh, Adv.

Mr. Varchus M.L. Urs, Adv.

Mr. V. Krishna Murthy, Sr. Adv.

Mr. T. Harish Kumar, Adv.

Mr. Rajiv Dutta, Sr. Adv.

Mr. Naresh Kaushik, Adv.

Mr. Sanjeev Kumar Bhardwaj, Adv.

Ms. Lalita Kaushik, Adv.

Mr. Basava Prabhu S. Patil, Sr. Adv.

Mr. V.N. Raghupathy, Adv.

Mr. R. Anand Padmanabhan, Adv.

Mr. Devrajan, Adv.

Mr. Pramod Dayal, Adv.

Mrs.B.Sunita Rao,Adv.

Ms. Kanchan Kaur Dhodi, Adv.

Mr. N. Ganpathy, Adv.
Mr. Sanjay R. Hegde, Adv.
Ms. Meera Mathur, Adv.

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

The grievance has been raised in all these IAs that office of Tehsildar, Bangalore North, Bangalore had issued notices in the month of September, 2012 on different dates to the different persons particularly with the allegations that the applicants have not ensured compliance of the order passed by this Court and several structures have been raised subsequently which was in utter disregard and violation of status quo passed by this Court. The applicants have submitted that all of them have replied to the said show cause notices issued to them individually by the Tehsildar. However, no order has yet been passed by the Tehsildar and the applicants apprehend that the Tehsildar may pass an appropriate order without considering their reply and may take action forcibly and demolish the structures, if any, raised by them.

Mr. Basava Prabhu S. Patil, learned senior counsel appearing for the State has assured that the Tehsildar will give a opportunity of hearing to all the applicants and consider the reply submitted to the show cause notices by them within a period of two weeks from the date of filing certified copy of the order before him, which the parties are at liberty to file immediately and will pass a speaking and reasoned order. The Tehsildar however, shall not give effect to his orders, at least for a period of two weeks giving an opportunity to the applicants to raise their grievance before the appropriate forum. The Tehsildar shall pass an order strictly considering the facts of the case without being influenced by any observations made by this Court as we have not expressed any opinion on merit.

With these observations, all IAs stands disposed of.

	(DEEPAK MANSUKHANI)		(M.S. NEGI)	
	Court Master		Court Master	