

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11022/2005

(From the judgement and order dated 22/09/2004 in WA No. 1957/2003 of The  
HIGH COURT OF KARNATAKA AT BANGALORE)

V. BALAKRISHNA UPADHYAYA

Petitioner(s)

VERSUS

BANGALORE DEVELOPMENT AUTHORITY

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report ))

WITH SLP(C) NO. 10890-10891 of 2005

(With appln(s) for c/delay in filing SLP and office report)

SLP(C) NO. 11023 of 2005

(With appln(s) for c/delay in filing SLP and office report)

Date: 05/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. Basava Prabhu S. Patil, Adv.

Mr. A.S. Bhasme, Adv.

Mr. B. Subrahmanya Prasad, Adv.

For Respondent(s)

Mr. S.K. Kulkarni, Adv.

Mr. G. Gireesh, Adv.

Mr. Vijay Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

The case of the petitioners comes within the purview of  
Sub-rule (6) of Rule 13 of the

Bangalore Development Authority(Allotment of Sites) Rules as existing between the period

6.2.1998 to

23.10.2000. The petitioners now question the validity of the said Rules, which cannot be permitted at this

stage. They have also paid the penalty. Their writ petition, therefore, for refund of the said amount was

not maintainable. We do not find any error in the judgment of the High Court. The special leave

petitions are dismissed accordingly.

(Meenu Sethi)  
ata Bhardwaj)

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