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ITEM NO.14

COURT NO.3

SECTION IVA

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)...../2013

(CC 10048/2013)

(From the judgement and order dated 01/06/2012 in WA No.17175/2011 of The
HIGH COURT OF KARNATAKA AT BANGALORE)

SRI REVANNA

Petitioner(s)

VERSUS

DEPUTY COMMISSIONER TUMKUR DIST.TUMKUR

Respondent(s)

With I.A.1 (C/delay in filing SLP)

Date: 08/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr.Ashwin V.Kotemath, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The delay of 166 days in filing the special leave petition is
condoned.

Whether the petitioner is entitled to allotment of Government
land as of right is the question which was unsuccessfully raised by him in
the writ petition and writ appeal filed before the Karnataka High Court.
This is the reason why he has sought intervention of this Court.

The petitioner was allotted 4 acres land in Chitradurga District
on 26.10.1965. After two years, the government cancelled the grant and the
land was utilized for generation of electricity by wind.

The petitioner did not challenge the cancellation of grant but
made a representation on 28.1.2008 for allotment of land around Tumkur or
Gubbi Taluk. After some time, he filed Writ Petition No.20091/2009, which
was disposed of by the learned Single Judge of the High Court by directing
consideration of his representation. The Competent Authority rejected the
representation on the ground that no land was available for grant. The
second writ petition filed by the petitioner was dismissed by the learned
Single Judge vide order dated 3.6.2011 on the ground that the land
identified by the petitioner was under unauthorized cultivation by
encroachers. The learned Single Judge also observed that the petitioner
cannot claim allotment of government land as a matter of right. The
Division Bench summarily dismissed the writ appeal filed by the petitioner.

We have heard learned counsel for the petitioner and perused the
record. In our considered view, the reasons recorded by the learned Single
Judge for declining relief to the petitioner are correct and even though
the order passed by the Division Bench is cryptic, there is no valid ground
to entertain the claim of the petitioner that he is entitled to allotment
of government land as of right.

The special leave petition is, accordingly, dismissed.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master