

ITEM NO.101

COURT NO.10

SECTION IVA

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

CIVIL APPEAL NO(s). 7425-7426 OF 2002

BANGALORE CITY COOP HSG.SOCY.LTD.
VERSUS

Appellant (s)

STATE OF KARNATAKA AND ORS.

Respondent(s)

(With office report)

WITH

Civil Appeal NO. 774-778 of 2005

(With appln.(s) for revocation and with office report)

(For further arguments)

Date: 07/04/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s)

Mr. P. Vishwanatha Shetty, Sr. Adv.
Mr. Dushyant Dave, Sr. Adv.
Mr. Shashi Kiran Shetty, Adv.
Mr. M. Sreenivasa, Adv.
Mr. Yatish Mohan, Adv.
Mr. Bramjeet Mishra, Adv.
Mr. Vijay Kumar L. Paradesi, Adv.
Mr. E.C. Vidya Sagar, A.O.R.
(In C.A. Nos.7425-7426/2002)

Mr. P. Vishwanatha Shetty, Sr. Adv.
Mrs. Haripriya Padmanabhan, Adv.
Mr. Shashi Kiran Shetty, Adv.
Ms. V. Mohana, A.O.R.
(In C.A. Nos.774-778/2005)

For Respondent(s)

Mr. P.P. Rao, Sr. Adv.
Mr. Brajesh Pandey, Adv.
Mr. A.S. Bhasme, A.O.R.
Mr. Ramesh, ADV.
Mr. Purusshottam S.T., Adv.
Mr. Utsav Sidhu, Adv.
Mr. Samariti Phukan, Adv.
Mr. Filza Moonis, Adv.
(In C.A. Nos.7425-7426/2002)

Mr. Sanjay R. Hegde, Adv.
Mr. A. Rohan Singh, Adv.

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Mr. Ramesh Kr. Mishra, Adv.
Mr. Vikrant Yadav, Adv.

Mr. P.P. Rao, Sr. Adv.
Mr. R.S. Hegde, Adv.
Mr. Chandra Prakash, Adv.
Mr. Rahul Tyagi, Adv.
Mr. Amit Wadhwa, Adv.
Mr. P.P. Singh, A.O.R.
(In C.A. Nos.774-778/2005)

Contd...2/-

UPON hearing counsel the Court made the following

O R D E R

Mr. P.V. Shetty and Mr. Dushyant A. Dave, learned senior counsel appearing for the appellant made their submissions.

During the course of hearing, we thought it proper to peruse the following records:

- 1.The original file containing the proceedings of the meeting of S.L.C.C. held on 24.10.1987 under the Chairmanship of Shri Cecil Noronha, Revenue Commissioner and Secretary to Government, Revenue Department, Bangalore.
- 2.File containing the approval, which is said to have been accorded by the State Government on 21.5.1988 for acquisition of land on behalf of the appellant.
- 3.The Report submitted by Special Land Acquisition Collector, Bangalore after conducting inquiry under Section 5A of the Land Acquisition Act, 1894.
- 4.Records relating to Notification dated 3.8.1991 issued under Section 48(1) of the Act as also Notification dated 7.1.1992 issued under Section 16(2) of the Act, and
- 5.Records evidencing taking over of possession of land in Survey No.49/I.

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Learned counsel appearing for the State of Karnataka should ensure that the relevant files/records are kept ready before the Court on the next date of hearing which is fixed as 13.4.2010. The learned counsel may contact the Chief Secretary and ensure that the entire record sought for by the Court is made available to him through an officer not below the rank of Deputy Secretary in the Revenue Department. It will be appreciated if the records are summoned by the learned counsel by 12.4.2010 and, if necessary, made available to the learned counsel for the parties in the evening of 12.4.2010 or morning of 13.4.2010.

Learned counsel for the parties may prepare fresh list of dates and make the same available to the Court Master by 12.4.2010.

For further arguments, the appeals be listed on 13.4.2010.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master