

ITEM NO.1(PH)

COURT NO.1

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).4318/2006

(From the judgement and order dated 25/11/2005 in WA No. 2625/2005 &amp; WA No. 2626/2005 &amp; WA No. 2721/2005 &amp; WP No. 11365/2005 &amp; WP No. 14771/2005 of The HIGH COURT OF KARNATAKA AT BANGALORE)

BONDU RAMASWAMY & ORS.  
(s)

Petitioner

VERSUS

BANGALORE DEVELOPMENT AUTHORITY & ORS.  
(s)

Respondent

(With appln(s) for directions,intervention and office report )

WITH SLP(C) NO. 3414 of 2006

(With appln.(s) under Order XLVII Rule 1, Supreme Court Rules for directions regarding

omission of proforma respondents as parties to the present petition and with prayer for interim

relief and office report)

SLP(C) NO. 3573 of 2006

(With appln.(s) for directions and with prayer for interim relief and office report)

SLP(C) NO. 4320 of 2006

(With office report)

SLP(C) NO. 4321 of 2006

(With office report)

SLP(C) No....CC No.5682 of 2006

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

SLP(C) NO. 6224 of 2006

(With appln.(s) for directions and office report)

SLP(C) NO. 6225 of 2006

(With office report)

SLP(C) NO. 7046 of 2006

(With office report)

SLP(C) NO. 7049 of 2006

(With office report)

SLP(C) NO. 7050 of 2006

(With office report)

SLP(C) NO. 7051 of 2006

(With office report)

2

SLP(C)No.7052 of 2006

(with office report)

SLP(C) NO. 8118 of 2006

(With office report)

SLP(C) NO. 8119 of 2006

(With office report)

SLP(C) NO. 8120 of 2006

(With office report)

SLP(C) NO. 8127 of 2006

(With office report)

SLP(C) NO. 9491 of 2006

(With office report)

SLP(C)No.5410/2006 (With appln.(s) for deletion of the name of respondent and impleadment and office report)

SLP(C)No.5411/2006 (With appln.(s) for directions regarding omission of the proforma

respondents and office report)

SLP(C)No.5412/2006

(With office report)

SLP(C)No.5414/2006

(With appln.(s) for directions and substitution of deceased respondent and office report)

SLP(C)No.5415/2006

(With appln.(s) for directions regarding omission of proforma respondents as parties to the

present petitions and exemption from filing O.T. and direction to the first respondent not to

dispossess the petitionr herein pending disposal of the SLP and office report)

SLP(C)No.5413/2006

(With appln.(s) for impleadment)

SLP(C)No.5416/2006

(With Appln.(s) for impleadment as petitioner and office report)

SLP(C)No.13854/2006

SLP(C)No.13855/2006

SLP(C)No.13857/2006

SLP(C)No.15496/2006

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

SLP(C)No.12683/2006 (With appln.(s) for c/delay in filing SLP and office report)

SLP(C)No.4596/2006 (With appln.(s) for exemption from filing cause title and with prayer for

interim relief and office report)

SLP(C)No.9104/2006

(With appln.(s) for impleadment as petitioner and office report)

3

SLP(C)No.9044/2006

SLP(C)No.9105/2006

SLP(C)No.9159/2006

SLP(C)No.9046/2006

SLP(C)No.8742/2006

(with office report)

SLP(C)No.14537/2006

SLP(C)No.14538/2006

SLP(C)No.14201/2006

SLP(C)No.14202/2006

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

Date: 20/03/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s)

Mr. P.R. Ramasesh, Adv.

Mr. Dushyant A. Dave, Sr. Adv.

Ms. Kiran Suri, Adv.

Mr. Subramani, Adv.

Mr. S.J. Amith, Adv.

Mr. Girish Ananthamurthy, Adv.

Mr. P.P. Singh, Adv.

Mr. R.S. Hegde, Adv.

Mr. Chandra Prakash, Adv.

Mr. Rahul Tyagi, Adv.

Ms. Savitri Pandey, Adv.

Mr. Roy Abraham, Adv.

Mrs. Seema Jain, Adv.

Mr. Himinder Lal, Adv.

Mr. Dushyant A. Dave, Sr. Adv.

Mr. S.N. Bhat, Adv.

Mr. N.P.S. Panwar, Adv.

Mr. D.P. Chaturvedi, Adv.

Mr. D. Pavanesh, Adv.

4

5

in SLP(C) No. 3414/06

Mr. S.N. Bhat, Adv.

Mr. N.P.S. Panwar, Adv.

Mr. D.P. Chaturvedi, Adv.

Mr.Satya Mitra, Adv.

In SLP(C)No.7050/06

Mr.Joseph Pookkatt, Adv.

Mr.Prashant Kumar, Adv.

Ms.Pooja Dhar, Adv.

Ms.Atrayee Majumdar, Adv.

Mr.Nikhil Majithia, Adv.

Mr.Saurabh Suman Sinha, Adv.

Mr.Dileep Tandon, Adv.

Mr.Shailesh Madiyal, Adv.

Mr.Raka Bijoy Phookan, Adv.

Mr.Hrishikesh Baruah, Adv.

Mr.Arjun Bobde, Adv.

in SLP(C)No.12683/06

Mr.Mahesh Agarwal, Adv.

Mr.Rishi Agrawala, Adv.

Mr.E.C.Agrawala, Adv.

Mr.Gaurav Goel, Adv.

In SLP(C)No.14538/06

Mr.S.S.Shamshery, Adv.

Mr.Pramod Kumar, Adv.

For Dr.Kailash Chand, Adv.

In SLP(C)No.4320/06

Mr.N.D.R.Ramachandra Rao, Adv.

Mr.R.S.Hegde, Adv.

Mr.Chandra Prakash, Adv.

Mr.Rahul Tyagi, Adv.

Ms.Savitri Pandey,Adv.

Mr.P.P.SIngh, Adv.

In SLP(C)No.6225/06

Mr.R.S.Hegde, Adv.

Mr.Chandra Prakash, Adv.

Mr.Rahul Tyagi, Adv.

Mr.P.P.SIngh, Adv.

In SLP(C)No.9159/06

Mr.Girish Ananthamurthy, Adv.

Mrs.Vaijyanthi Girish, Adv.

In SLP(C)Nos.8118 to 8120&

8127/06

Mr. T.V. Ratnam, Adv.

Mr.K.Subba Rao, Adv.

Mr.P.S.DInesh Kumar, Adv.

In SLP(C)No.6224/06

Mr.Nares Kaushik, Adv.

Mrs. Lalita Kaushik, Adv.

Mr.B.S.Methaila, Adv.

Ms.Amita Kalkal, Adv.

Mr.Parag Goyal, Adv.

Mr.Satish D., Adv.

Mr.KH.Nobin Singh, Adv.

In SLP(C)No.9104/06

Mr.Nataraj R., Adv.

Mr.Rajesh Mahale, Adv.

Mr.Radhananda, Adv.

In SLP(C)No.5042/06&

Mr.Raghavendra S.Srivatsa, adv.

Applicant in SLP(C)No.9104/06

Mr.Rajesh Mahale, Adv.

Mr.K.N.Manjunath, Adv.

Mr. Jagjit Singh Chhabra, Adv.

In SLP(C)Nos.13855/06 & 5410/06

Mr.V.N.Lakshmi Naraina, Sr.Adv.

Mr.K.H.Soma Shekar, Adv.

Mr.Prakash Kumar Singh, Adv.

Ms.Priya Kasyap, Adv.

In SLP(C)No.5415/06

Mr.Nikhil Nayyar, Adv.

Mr.Ankit Singhal, Adv.

Mr.Vivekananda,Adv.

Mr.V.N.Raghupathy, Adv.

in SLP(C)No.4596/06

Mr.G.V.Chandrashekar, Adv.

For Ms.Anjana Chandrashekar, Adv.

Mr.Dileep Tandon,Adv.

Mr.Shailesh Madiyal, Adv.

Mr.R.B.Phookan, Adv.

For Mr.J.S.Bhatia, Adv.

In SLP(C)No.5413/06

Mr.S.Balaji, Adv.

7

Mr.S.Srinivasan, Adv.

Ms.Madhusmita Bora, Adv.

Mr.S.R.Sharma, Adv.

In SLP(C)No.5416/06

Mr.M.A.Chinnasamy, Adv.

Mr.K.Krishna Kumar, Adv.

Mr.B.B.Chauhan, Adv.

For applicants/Intervenor

Mr.Sanjay Parikh, Adv.

In SLP(C)No.4318/06

Mr.M.Qamaruddin, Adv.

Mrs.M.Qamaruddin, Adv.

For Mr.Ambar Qamaruddin, Adv.

For Respondent(s) in SLP(C)

Mr.K.K.Venugopal, Sr.Adv.

No.7052/06-BDA

Mr.Altaf Ahmad, Sr.Adv.

Mr.P.Viswanatha Shetty, Sr.Adv.

Mr.S.K.Kulkarni, Adv.

Mr.Anukur S.Kulkarni, Adv.

Mr.Nirnimesh Dube, Adv.

Mr.M.Gireesh Kumar, Adv.

Mr.S.J.Aristotle, Adv.

Mr. Vijay Kumar,Adv.

Mr. Sanjay R. Hegde ,Adv

Mr.Anil K.Mishra, Adv.

Mr.Vikrant Yadav, Adv.

Mr. Rajesh Srivastava, Adv.

In SLP(C) 7052/2006

Mr. Krishnan Venugopal, Adv.

Mr. Shashi Kiran Shetty, Adv.

Mr. Sharan Dev Singh Thakur, Adv.

Mr. Pradeep Kr. Bakshi, Adv.

In SLP(C) No. 7052/06

Mr. Sharan Dev Singh Thakur, Adv.

Mr. Shashi Kiran Shetty, Adv.

Mr. Krishnan Venugopal, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. K. K. Venugopal for the respondent -BDA resumed his arguments at 10.35

8

a.m. and concluded at 3.35 p.m. Thereafter Mr. Altaf Ahmad, learned senior counsel took over him and was on his legs when the Court rose for the day, leaving the matter as part-heard.

List these matters on Thursday, the 22nd March, 2007.

22.03.2007: CORAM AND APPEARANCE AS PER PREVIOUS PROCEEDING.

SLP(C) No. 7052/2006

Counsel for the petitioner submits that the petition is not being pressed. He

further submits that the land in question is not proposed to be acquired for the Scheme of

B.D.A. The special leave petition is disposed of accordingly. No costs.

However, the questions raised in this special leave petition are left open to be

decided in another appropriate proceeding.

Mr. Altaf Ahmad, learned senior counsel resumed his arguments at 10.40 a.m.

and concluded at 2.20 p.m. Thereafter Mr. P. Vishwanatha Shetty, learned senior counsel made his submissions till 2.35 p.m. Thereafter Mr. Sanjay R. Hegde, learned counsel for the State made his submissions till 2.50 p.m. Thereafter Mr. Dhawan, learned senior counsel started his arguments in rejoinder and concluded at 4.00 p.m.

Arguments concluded. Judgment reserved.

(G.V.Ramana)	(R.K.Dhawan)	( Veera Ve
rma )		
Court Master	Court Master	Court Master

LIST OF BOOKS CITED:

1994(2) SCC p.489

1991(4) SCC P.224

2005(7) SCC P.627

2005(13) SCC P.477

2001(5) SCC P.664

1999(9) SCC P.492

1999(4) SCC P.306

AIR 1964 SC 72 = 1964(4) SCR P.733

1987(2) SCC P.510

1964(6) SCR P.330 AT 334

2006(2) SCC P.505

1999(2) SCC P.366

2004(8) SCC P.505

2002(4) SCC P.326

2002(7) SCC P.657

2003(4) SCC P.686

2000(4) SCC P.640

1965(1) SCR P.413 AT 444

1955(1) SCR P.799 AT P.809 PARA 2

LAND ACQUISITION (AMENDMENT) ACT, 1984 - STATEMENT OF OBJECTS AND REASONS

1968(1) SCR P.561

1997(6) SCC P.623

2001(7) SCC P.545 AT 548 PARA 10

2005(9) SCC P.248 PARA 9

1963(1) SCR P.242 AT 246

2001(7) SCC PP.71 AT 78 PARA 13

1974(1) SCC 128

1962 (1) SCR 374

1994(6) SCR 368

1969(3) SCC 775

1970(3) SCR 505

2003(8) SCC 369

1994(1) SCC 44 Para 25

1996(7) SCC 426 Para 8

1950 SCR 88 at P.251-252

1976(4) SCC 9 at 11

1958 SCR 1422 at 1468-69

1971(2) SCC 893 at 903

2006(7) SCC 578 at 592 paras 23,14 and 19

1988 (4) SCC 534 at 544 para 17

1996(1) SCC 334 at 336 Para 5

2006(10) SCC 337 at 342 and 345 paras 12 and 16