

ITEM NO.301

COURT NO.7

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

CONTEMPT PETITION (C) NO. 144 OF 2006 IN Civil Appeal 3492-3494/2005

DAKSHINAMURTHY

Petitioner(s)

VERSUS

B.K.DAS I.A.S & ORS.

Respondent(s)

(with office report)'

with

C.P. (C) No. 96 of 2007 in CA 3492-3494 of 2005

[with appln. for interim relief and permission to file additional documents)

WITH SLP(C) NO. 11829 of 2008

(With appln. for permission to place additional documents on record and with prayer for interim relief and office report)

W.P(C) D NO. D23593 of 2008

(With appln. for ex-parte stay and permission to file additional documents and exemption from filing OT and office report)

Contempt Pet(C) D NO. D26236 of 2008 in CA 3492-3494 of 2005

(With office report)

Date: 10/04/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s)

CP 96

Mr. Dushyant A. Dave, Sr. Adv.

Ms. Meenakshi Arora, Adv.

Mr. Vasudevan Raghavan, Adv.

CP 144

Ms. Meenakshi Arora, Adv.

SLP 11829

Ms. Bina Madhavan, Adv. for

M/s. Lawyer'S Knit & Co

WPD 23593

Mr. Prashant Bhushan, Adv.

Mr. Prashant Kumar, Adv.

Ms. Triveni Potekar, Adv.

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Mr. Amarjit Singh Bedi, Adv.

C.P.D 26236

Mr. Anoop G. Chaudhary, Sr. Adv.

Mr. Sri Ranga, Adv.

Mr. Prashant, Adv.

Mr. Abhay Kumar, Adv.

Mr. Nakul Pathania, Adv.

For Respondent(s)

Mr. U.U. Lalit, Sr. Adv.

Ms. Anitha Shenoy, Adv.

Mr. Sandeep Patil, Adv.

Mr. Anoop G. Chaudhary, Sr. Adv.
Mr. Sri Ranga, Adv.
Mr. Prashant, Adv.
Mr. Abhay Kumar, Adv.
Mr. Nakul Pathania, Adv.

Mr. Vasudevan Raghavan, Adv.

Ms. Kiran Suri, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. Brajesh Verma, Adv. for
Mr. E.C. Vidya Sagar, Adv.

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

In pursuance of the order dated July 21, 2011, an affidavit has been filed by Shri S.C. Khuntia, Principal Secretary, Public Works Department, Government of Karnataka on March 22, 2012. In that affidavit, it is stated that there are several impediments in the implementation of the project including the price fixation for the land acquired in Section-A.

2. It is stated in the affidavit that the Deputy Commissioner, Bangalore, who is the Chairman of the Price Fixation Committee, has fixed the price for the lands acquired for the project as under:

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(a) Bangalore South Taluk, Kengeri Hobli

(i) Rs 41.00 lakh per acre for lands in Gonipura and Thippuru Villages.

(ii) Rs. 40.0 lakh per acre for lands in Shigehalli Village.

(G.O. No. C1 201 SPQ 2011 dated 12.5.2011)

(b) Bangalore South Taluk, Kengeri Hobli

Deevatige Ramanahalli Village
Rs. 21,530/- per square meter.

(c) Bangalore North Taluk, Kasaba Hobli.

Byatarayanapura Village.

Rs. 25,835/- to Rs. 33,370/- per square meter

(As per Price Fixation Committee and KIADB)

3. Mr. Dushyant A. Dave, learned senior counsel for the contempt petitioner - Nandi Infrastructure C. Enterprises

Ltd. submits that the petitioner has challenged the above fixation of price by the Deputy Commissioner in the Writ Petition (C) Nos. 5747-5748 of 2012 (Nandi Infrastructure Corridor Enterprises Ltd. and another vs. State of Karnataka and others) before the High Court of Karnataka.

4. In the affidavit, it is stated that for the component - Township-1 Corporate Centre, Bidadi, as per the framework agreement and the judgments of the High Court and this Court, 2775 acres of land was to be provided. For that 2420 acres of private land was notified under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (for short "1966 Act") and the Notification under Section 28(4) of the 1966 Act has been issued for 1916 acres of

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land. 481 acres of Government land has been made available to the contempt petitioner. It transpires that due to dispute raised by the contempt petitioner with regard to the rate for the acquired land, the possession of that land has not been handed over to the contempt petitioner.

5. In our view, it will be appropriate if the Contempt Petitions are heard after the disposal of C.W.P. Nos. 5747-5748 of 2012 by the High Court.

6. The contempt petitioner may move the High Court for expeditious disposal of the above Writ Petitions. The Contempt Petitions and other matters shall be posted for consideration after the Registry of this Court is informed by either of the parties about the decision in the above Writ Petitions by the High Court.

7. The contempt petitioner may file reply to the above affidavit of Principal Secretary, Public Works Department, Government of Karnataka.

Liberty to mention.

(Pardeep Kumar)
Court Master

(Renu Diwan)
Court Master