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C.A.No. 971 OF 2003
ITEM No.4

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

IA No. 4 in Civil Appeal No.971/2003

BANGALORE DEVELOPMENT AUTHORITY & ORS.

Appellant (s)

VERSUS

R. HANUMAIAH & ORS.

Respondent (s)

(For stay)

Date : 17/11/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s)Mr. Altaf Ahmad, ASG.
Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.
Mr. Vijay Kumar, Adv.

For Respondent (s)Mr. Harish N. Salve, Sr. Adv.
Mr. V. Anand, Adv.
Mr. E.C. Vidya Sagar, Adv.
Mr. B.K. Choudhary, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the learned counsel for the parties.

There is controversy over two issues which is disposed of in terms of the following directions :

(i)The dispute whether sites bearing Nos. 110 and 110A of Koramangala IV 'B' Block forms part of Survey No. 32/12, measuring 16 guntas and 15 yards, situated at Jakkasandra

Village, Begur Hobli, Bangalore South Taluk or whether they form part of Survey No. 23/9, Ejipura Village cannot be resolved except by carrying out a survey. We direct the Director (Land Records) to have a survey carried out by any senior official subordinate to him and report as to whether site Nos. 110 and 110A fall within the survey No. 32/12, Jakkasandra Village or Survey No. 23/9, Ejipura Village. The report shall be submitted within six weeks from the date of the communication of this order.

(ii) The same official who shall carry out the survey shall also inspect and find out if fencing around survey numbers mentioned in the Resolution dated 8/9.05.1972 of the C.I.T.B has been completed or not.

A copy of this order shall be communicated to the Director (Land Records)(full address to be furnished by the petitioner). Copies of Annexures R-4 and R-7 to CIA No. 4/03 shall accompany the order. The intimation of date and time appointed for survey and inspection shall be given to Commissioner, Bangalore Development Authority and respondent No. 1 herein. The names and addresses thereof shall also be communicated by the Office to the Director(Land Records).

KALYANI

(RADHA R. BHATIA)
COURT MASTER