

ITEM NO.17

COURT NO.9

SECTION IV-A

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 (C) No(s). 2177/2023

(Arising out of impugned final judgment and order dated 25-11-2022 in WA No. 3256/2010 passed by the High Court of Karnataka at Bengaluru)

G. BYRAPPA

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.19696/2023-EXEMPTION FROM FILING O.T.)

Date : 27-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Anand Sanjay M Nuli, Adv.

Mr. Dharm Singh, Adv.

Mr. Suraj Kaushik, Adv.

Mr. Nanda Kumar K B, Adv.

Ms. Akhila Wali, Adv.

Mr. Shiva Swaroop, Adv.

For M/s.Nuli & Nuli, AOR

For Respondent(s)

Ms. Kiran Suri, Sr. Adv.

Mr. S J Amith, Adv.

Mr. Purushottam Sharma Tripathi, AOR

Ms. Vidushi Garg, Adv.

Ms. Aishwarya Kumar, Adv.

Mr. Mukesh Kumar Singh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Application seeking exemption from filing official translation of the Annexures is allowed.

Having heard learned counsel for the petitioner as well as learned Senior counsel, who is on caveat, for the respondent-Board at a considerable length and after carefully perusing the material available on record, we do not find any ground to interfere with the impugned Order dated 25-11-2022 passed by the Division Bench of High Court of Karnataka at Bengaluru.

The view taken by the High Court appears to be plausible and reasonable and it does not warrant any interference by this Court.

However, the impugned order shall have no bearing on the petitioner's claim for higher compensation, including for the plants stated to be standing on his land. Similarly, the petitioner shall be at liberty to represent the Competent Authority for the release of his land, claiming parity with the adjoining land where it is stated that now a tourist resort has been set up. Till the application to be moved by the petitioner within two weeks, is considered by the Competent Authority on merits, *status-quo re.* change of nature of the land shall be maintained.

The Special Leave Petition is disposed of in above-terms.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
COURT MASTER (NSH)