ITEM NO.34 COURT NO.6 SECTION IV-A

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.65272/2026

[Arising out of impugned final judgment and order dated 02-07-2026 in WA No.151/2025 passed by the High Court of Karnataka at Bengaluru]

THE PROJECT DIRECTOR,
NATIONAL HIGHWAYS AUTHORITY OF INDIA **Petitioner**

VERSUS

NARASIMHAMURTHY & ORS. **Respondents**

I.A. No.345054/2026-CONDONATION OF DELAY IN FILING
I.A. No.345055/2026-EXEMPTION FROM FILING O.T.

Date : 20-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Petitioner(s) : Mr. Preetesh Kapur, Sr. Adv.
Mr. Sumit Gupta, Adv.
Mr. Pulkit Kaushik, Adv.
Ms. Ishant Tripathi, Adv.
Mr. Kartikeya Singh- 3570, AOR

For Respondent(s) :

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

1. Delay condoned.

2. We have serious reservation with regard to the observation of the High Court of Karnataka at Bengaluru[1] in the impugned judgment and order dated 02nd July, 2026[2] that Section 16(2) of the National Highways Authority of India Act, 1988[3] prescribes that for the purpose of public amenities, an area of approximately one hectare of land i.e. 10,000 square meters of land has to be

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Date: 2026.11.21 12:34:00 IST
Reason:

1 High Court
2 impugned order
3 NHAI Act

acquired. Section 16(2) contains no such stipulation. We further do not approve the direction of the High Court quashing the impugned notification in its entirety when the respondent no.1, Narasimhamurthy, had prayed for the following limited relief:

> "a. Issue a writ of certiorari or any other writ and quash the Notification No.S.O.2460(E) Dated: 06-06-2023 Dated: 28-6-2023 (sic, 27-6-2023) in respect of 0.10 guntas in Sy no.19/1 of Koramanagala Village, Soluru Hobli, Magadi Taluk, Ramanagara District and the notice dt. 5-7-2023, No.SLAO&C.A/NH-48/C.R/11/2023-24 and [vide ANNEXURE A & A1]".

3. Be that as it may, we also find it inappropriate for the petitioner to acquire the remaining land of the respondent 1, measuring 10 guntas, by the impugned notification particularly when his property measuring approximately 26.08 guntas of land had already been acquired under the provisions of the NHAI Act in the year 2007. The guidelines of the Ministry of Road Transport and Highways dated 11th February, 2021 should not have been deviated from, in the given facts and circumstances.

4. We dispose of this special leave petition with a modification of the impugned order. It is observed that quashing of the impugned notification and notice shall be restricted only to the prayer of the respondent no.1, extracted supra, more particularly the land in village Koramangala described in the notification and notice under challenge before the High Court.

5. Pending application(s), if any, shall also stand disposed of.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)