

WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST 2026



PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 418 OF 2025 (LA-KHB)

C/W

WRIT APPEAL NO. 391 OF 2025 (LA-KHB)

WRIT APPEAL NO. 392 OF 2025 (LA-KHB)

WRIT APPEAL NO. 434 OF 2025 (LA-KHB)

WRIT APPEAL NO. 436 OF 2025 (LA-KHB)

WRIT APPEAL NO. 437 OF 2025 (LA-KHB)

WRIT APPEAL NO. 609 OF 2025 (LA-KHB)

WRIT APPEAL NO. 627 OF 2025 (LA-KHB)

WRIT APPEAL NO. 2047 OF 2025 (LA-KHB)

WRIT APPEAL NO. 2072 OF 2025 (LA-KHB)

WRIT APPEAL NO. 2082 OF 2025 (LA-KHB)

WRIT APPEAL NO. 2087 OF 2025 (LA-KHB)



IN WA No. 418/2025

BETWEEN:

1. SRI R.GOVINDA REDDY
AGED ABOUT 71 YEARS
SON OF LATE RAMAIAH
RESIDENT OF KONASANDRA
KALLUBALU POST

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

JIGANI HOBLI
ANEKAL TALUK
BANGALORE DISTRICT-560 106

...APPELLANT

(BY SRI UDAYA HOLLA, SENIOR ADVOCATE FOR
SRI CHANDRASHEKAR P V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE - 560 001
REP BY ITS PRINCIPAL SECRETARY
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BANGALORE - 560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BANGALORE - 560 009
4. THE DEPUTY CONSERVATOR OF FOREST
BANNERAGATTA NATIONAL PARK
BANNERGATTA, ANEKAL TALUK
BENGALURU- 560 083
5. THE ASSISTANT DIRECTOR OF
LAND RECORDS AND SURVEY SETTLEMENT
ANEKAL, TALUK: ANEKAL-562 106
6. THE UNION OF INDIA,
MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE (MOEF&CC)
INDIRA PARYAVARAN BHAWAN
JOR BAGH ROAD
NEW DELHI-110 003

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

REPRESENTED BY ITS SECRETARY
(IMPLEADED V/O DT. 10.07.2026)

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL AND
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR
SRI B. RAVINDRANATH, AGA FOR R1, R4 & R5;
SRI S.N. ASHWATHANARAYANA, SENIOR ADVOCATE FOR
SRI S.A. SUDHINDRA, ADVOCATE FOR R2 & R3;
SRI ARVIND KAMATH, ASGI FOR SRI S. RAJASHEKAR,
CGC FOR R-6)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13/01/2025 PASSED IN WP NO.43342/2015 BY
THE LEARNED SINGLE JUDGE AND CONSEQUENTLY ALLOW
THE WRIT PETITION AS PRAYED FOR.

IN WA NO. 391/2025

BETWEEN:

SMT. PUTTARAJAMMA
W/O M LINGAPPA
LRS AS FOLLOWS:

1. SRI L KRISHNAPPA (URF ANNAIAH)
S/O LINGAPPA
AGED ABOUT 56 YEARS
KADUJAKKANAHALLI
PO: INDLAWADA
TALUK: ANEKAL
BANGALURU URBAN
PIN-560 106
2. SRI L. MANJUNATH
S/O LINGAPPA
AGED ABOUT 54 YEARS
KADUJAKKANAHALLI
PO: INDLAWADA
TALUK: ANEKAL

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BANGALURU URBAN
PIN-560 106

3. SRI L. DODDAMARIYAPPA
S/O LINGAPPA
AGED ABOUT 50 YEARS
KADUJAKKANAHALLI
PO: INDLAWADA
TALUK: ANEKAL
BANGALURU URBAN
PIN-560 106

4. SRI L. CHIKKAMARIYAPPA
S/O LINGAPPA
AGED ABOUT 48 YEARS
KADUJAKKANAHALLI
PO: INDLAWADA
TALUK ANEKAL
BANGALURU URBAN
PIN-560 106

5. SRI L. SHIVAKUMAR
S/O LINGAPPA
AGED ABOUT 45 YEARS
KADUJAKKANAHALLI
PO: INDLAWADA
TALUK: ANEKAL
BENGALURU URBAN
PIN-560 106

...APPELLANTS

(BY SRI MUTAGUPPI LAXMESH PUTTA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALURU-560 001
REP BY ITS PRINCIPAL SECRETARY

**WA No. 418 of 2025
C/W WA No. 391 of 2025
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AND 9 OTHERS**

2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BANGALURU-560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BANGALURU-560 009
4. SMT. L. MUNIRATNAMMA
W/O SIDDALINGAPPA
AGED ABOUT 52 YEARS
SINGASANDRA
TALUK: ANEKAL
BANGALURU URBAN-560 106
5. SMT. L SUJATA (RATNAMMA)
W/O VEERABHADRAPPA
JODIPURA, LAKKURU HOBLI
TALUK: MALOOR
BANGALURU URBAN
PIN-560 106

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL
AND SRI ISMAIL ZABIULLA, ADDL. ADVOCATE
GENERAL FOR SRI B. RAVINDRANATH, AGA FOR R1;
SRI H L PRADEEP KUMAR, ADVOCATE FOR R2 & R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13/01/2025 PASSED BY LEARNED SINGLE
JUDGE IN WP NO.49297/2015.

IN WA NO. 392/2025

BETWEEN:

1. SRI SRINIVASA
S/O JEEYAPPA

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

AGED ABOUT 48 YEARS
R/O KADUJAKKANANAHALLI
PO: INDLAWADA
JIGANI HOBALI
TALUK-ANEKAL
BANGALURU-560 106

2. SRI MUNIRAJU
S/O JEEYAPPA
AGED ABOUT 59 YEARS
R/O KADUJAKKANANAHALLI
PO: INDLAWADA
JIGANI HOBALI
TALUK-ANEKAL
BANGALURU-560 106
3. SRI M. VENKATESH
S/O MUNISHAMAPPA
AGED ABOUT 55 YEARS
R/O 1234/5
OPP. NAVYA HOSPITAL
HEBBALA - PO
BANGALURU-560 024
4. SRI MAHADEVAPPA
S/O HANUMAI AH
AGED ABOUT 59 YEARS
R/O KADUJAKKANANAHALLI
PO: INDLAWADA
JIGANI HOBALI
TALUK ANEKAL
BANGALURU-560 106
5. SRI NARAYANAPPA
S/O KENCHAPPA
AGED ABOUT 65 YEARS
R/O KADUJAKKANAHALLI
PO. INDLAWADA
JIGANI HOBLI
TALUK ANEKAL
BANGALURU-560 106

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[SRI M. VEERABHADRAPPA BIN LATE
MARAPPA PETITIONER NO. 6 NAME
HAS BEEN DELETED AS PER
COURT ORDER DATED 24-06-2021]

...APPELLANTS

(BY SRI MUTAGUPPI LAXMESH PUTTA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU - 560 001
REP BY ITS PRINCIPAL SECRETARY
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BENGALURU-560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BENGALURU - 560 009
4. ASSISTANT DIRECTOR OF LAND RECORDS
ANEKAL, TALUK ANEKAL
BENGALURU URBAN DISTRICT-560 105
5. THE DEPUTY CONSERVATOR OF FOREST
BANNERUGHATTA NATIONAL PARK
ANEKAL TALUK, BENGALURU-560 083
6. SRI HAREESH MAHADEVAPPA
S/O MAHADEVAPPA
AGED ABOUT 30 YEARS
R/O KADUJAKKANAHALLI
PO: INDLAWADA, JIGANI HOBLI
TALUK: ANEKAL
BENGALURU - 560 106

7. S MANJUNATH BIN SAMPANGI
S/O SAMPAGI
AGED ABOUT 37 YEARS
AT: CHOKKANATHAPURAM
TALUK: HOSUR
DISTRICT: KRISHNAGIRI
STATE: TAMILNADU

8. SMT. MAMATA KOM MANJUNATH
BIN MAHADEVAPPA
W/O MANJUNATH
AGED ABOUT 27 YEARS
AT CHOKKANATHAPURAM
TALUK: HOSUR
DISTRICT: KRISHNAGIRI
STATE: TAMILNADU

[PETITIONER NOS.7 TO 9(4 TO 6)
HAVE NOT A INTERESTED TO CONTESTED
AS ONE OF THE APPELLANT AND
SHOWING THEIR NAME AS
FORMAL RESPONDENTS]

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR
SRI B. RAVINDRANATH, AGA FOR R1, R4 & R5;
SRI H.L. PRADEEP KUMAR, ADVOCATE FOR R2 & R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THE
APPEAL BY SETTING ASIDE THE ORDER DATED 13/01/2025
PASSED BY LEARNED SINGLE JUDGE IN WP NO.4492/2021.

IN WA NO. 434/2025

BETWEEN:

1. SRI M. MAHADEVIAIAH
AGED ABOUT 59 YEARS
S/O K MUNIYAPPA

**WA No. 418 of 2025
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2. SRI M SHIVAPPA
AGED ABOUT 56 YEARS
S/O K MUNIYAPPA
3. SRI MANJUNATH
AGED ABOUT 54 YEARS
S/O K MUNIYAPPA
4. SRI M KALLAPPA
AGED ABOUT 52 YEARS
S/O K MUNIYAPPA
5. SMT M CHAMPA
AGED ABOUT 50 YEARS
D/O K MUNIYAPPA
6. SMT M KAMALAMMA
AGED ABOUT 48 YEARS
D/O K MUNIYAPPA
7. SRI M SUBRAMANYA
AGED ABOUT 46 YEARS
S/O K MUNIYAPPA

ALL ARE RESIDENTS OF
ADUR VILLAGE
INDLAWADA POST
ANEKAL TALUK
BANGALORE DISTRICT - 560 106

...APPELLANTS

(BY SRI UDAYA HOLLA, SENIOR ADVOCATE FOR
SRI CHANDRASHEKAR P V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI

**WA No. 418 of 2025
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BANGALORE-560 001
REP BY ITS PRINCIPAL SECRETARY

2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BANGALORE-560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BANGALORE-560 009
4. THE DEPUTY CONSERVATOR OF FORESTS
BANNERAGHATTA NATIONAL PARK
BANNERGHATTA, BENGALURU-560 083
5. THE ASSISTANT DIRECTOR OF LAND RECORDS
AND SURVEY SETTLEMENT, ANEKAL TALUK
ANEKAL-560 106

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL
FOR SRI B. RAVINDRANATH, AGA FOR R1, R4 & R5;
SRI D.R. RAVISHANKAR, SENIOR ADVOCATE FOR
SRI H.L. PRADEEP KUMAR, ADVOCATE FOR R2 & R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13/01/2025 PASSED IN WP NO.29789/2015
BY THE LEARNED SINGLE JUDGE AND CONSEQUENTLY
DISMISS THE WRIT PETITION.

IN WA NO. 436/2025

BETWEEN:

1. SRI H NAGESH REDDY
AGED ABOUT 70 YEARS
S/O HANUMANTHA REDDY

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

2. SRI NANJUNDA REDDY
AGED ABOUT 67 YEARS
S/O HANUMANTHAREDDY
3. SMT SAROJAMMA
AGED ABOUT 64 YEARS
D/O HANUMANTHAREDDY
4. SMT MUNIRATHNAMMA
AGED ABOUT 61 YEARS
D/O HANUMANTHAREDDY
5. SRI H MUNIREDDY
AGED ABOUT 56 YEARS
S/O HANUMANTHAREDDY

ALL ARE RESIDENTS OF
KONASANDRA VILLAGE
KALLUBALU POST
JIGANI HOBLI
ANEKAL TALUK
BANGALORE DISTRICT - 560 105

...APPELLANTS

(BY SRI UDAYA HOLLA, SENIOR ADVOCATE FOR
SRI CHANDRASHEKAR P V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE-560 001
REP BY ITS PRINCIPAL SECRETARY
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN
KEMPEGOWDA ROAD
BANGALORE-560 009

**WA No. 418 of 2025
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3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BANGALORE-560 009
4. THE DEPUTY CONSERVATOR OF FORESTS
BANNERGHATTA NATIONAL PARK
BANNERGHATTA, BANGALORE-560 083
5. THE ASSISTANT DIRECTOR OF LAND
RECORDS AND SURVEY SETTLEMENT
ANEKAL TALUK, ANEKAL
6. THE UNION OF INDIA
MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE (MOEF&CC)
INDIRA PARYAVARAN BHAWAN
JORBAGH ROAD, NEW DELHI-110 003
REPRESENTED BY ITS SECRETARY

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL
FOR SRI B. RAVINDRANATH, AGA FOR R1, R4 & R5;
SRI S.N. ASHWATHANARAYANA, SENIOR ADVOCATE
FOR SRI S.A.SUDHINDRA, ADVOCATE FOR R2 & R3;
SRI ARAVIND KAMATH, ASG FOR SRI S. RAJASHEKAR,
CGC FOR R6)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13.01.2025 PASSED IN
WP NO.43344/2015 (LA-KHB) BY THE LEARNED SINGLE
JUDGE AND CONSEQUENTLY ALLOW THE WRIT PETITION AS
PRAYED FOR.

IN WA NO. 437/2025

BETWEEN:

1. SRI M. PAPANNA
AGED ABOUT 59 YEARS

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

S/O LATE MUNIYAPPA
PRESENTLY R/AT NO.12/40
11TH MAIN, 11TH CROSS
NEAR ST. MARY'S CHURCH
BOMMANAHALLI
BENGALURU - 560 068

...APPELLANT

(BY SRI UDAYA HOLLA, SENIOR ADVOCATE FOR
SRI CHANDRASHEKAR P V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE-560 001
REP BY ITS PRINCIPAL SECRETARY
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BANGALORE-560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, KEMPEGOWDA ROAD
BANGALORE-560 009

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL
FOR SRI B. RAVINDRANATH, AGA FOR R1;
SRI S.N. ASHWATHANARAYANA, SENIOR ADVOCATE FOR
SRI S.A. SUDHINDRA, ADVOCATE FOR R2 & R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13.01.2025 PASSED IN WP NO.36164/2015
(LA-KHB) BY THE LEARNED SINGLE JUDGE AND
CONSEQUENTLY ALLOW THE WRIT PETITION AS PRAYED
FOR.

IN WA NO. 609/2025

BETWEEN:

1. SRI LINGAPPA
S/O AJJAYYA @ AJJAPPA
AGED ABOUT 94 YEARS
2. SRI RAJAPPA
S/O NAJUNDAPPA
AGED ABOUT 68 YEARS

PADMAMMA
[SINCE DIED ON 27.03.2018
REP. BY HER LRS AS APPELLANT
NOS.3, 7 AND 8]
3. SRI REVANNA
S/O AJJAPPA AND
HUSBAND OF LATE PADMAMMA
AGED ABOUT 68 YEARS
4. SRI T. SRINIVAS
S/O LATE THIMMARAYAPPA
AGED ABOUT 68 YEARS
5. SMT. SHANTHAMMA
W/O SRINIVAS
AGED ABOUT 57 YEARS
6. SRI SAMPANGI
S/O THIMMARAYAPPA
AGED ABOUT 54 YEARS
7. SRI R. ANANDA
S/O SRI REVANNA AND
LATE PADMAMMA
AGED ABOUT 45 YEARS

**WA No. 418 of 2025
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8. SMT. R. NAGAVENI
D/O SRI REVANNA & LATE PADMAMMA
AGED ABOUT 40 YEARS

APPELLANTS 1 TO 8 ARE
R/O BOMMANDAHALLI VILLAGE
JIGANI HOBLI, ANEKAL TALUK
BENGALURU URBAN DISTRICT-562 106

...APPELLANTS

(BY SRI C SHANKAR REDDY, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU-560 001
REP BY ITS PRINCIPAL SECRETARY
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVANA
KEMPEGOWDA ROAD
BENGALURU-560 009
REP BY ITS COMMISSIONER
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVANA, KEMPEGOWDA ROAD
BENGALURU-560 009

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR
SRI B. RAVINDRANATH, AGA FOR R1;
SRI H.L. PRADEEP KUMAR, ADVOCATE FOR R-2 & 3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR THE
RECORDS IN WP NO.2401/2016 ON THE FILE OF THE
HONOURABLE LEARNED SINGLE JUDGE OF THE

HONOURABLE HIGH COURT OF KARNATAKA AT BENGALURU,
PERUSE THE SAME, HEAR THE APPELLANTS AND ETC.

IN WA NO. 627/2025

BETWEEN:

1. SRI NANJUNDAPPA
S/O LATE MANE CHIKKANNA
AGED ABOUT 67 YEARS
R/OF NESENUR VILLAGE
JIGANI HOBLI, ANEKAL TALUK
BENGALURU URBAN DISTRICT
PIN NO: 562 106
2. SRI RAVI
S/O LATE NAGAPPA
AGED ABOUT 69 YEARS
3. SRI RAMAIAH @ RAMANNA
S/O LATE CHIKKANANJAPPA
AGED ABOUT 79 YEARS
4. SMT. RUDRAMMA
W/O LATE NANJAPPA
AGED ABOUT 79 YEARS
5. SRI V. NANJAPPA
S/O LATE CHIKKAVEERABADRAPPA
AGED ABOUT 64 YEARS
6. SRI SRINIVASAIAH
S/O LATE VASANTHAPPA
AGED ABOUT 79 YEARS
7. SRI RAMAIAH @ RAMAPPA
S/O YELLAPPA
AGED ABOUT 64 YEARS
8. SRI MAHADEVAPPA
S/O HOSANNA
AGED ABOUT 54 YEARS

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

APPELLANTS NOS.2 TO 8 ARE
R/OF BOMMANDAHALLY VILLAGE
JIGANI HOBLI, ANEKAL TALUK
BENGALURU URBAN DISTRICT-562 106

...APPELLANTS

(BY SRI C SHANKAR REDDY, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
VIDHANA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU-560 001
2. THE KARNATAKA HOUSING BOARD
CAUVERY BHAVANA
K.G. ROAD, BENGALURU-560 009
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA HOUSING BOARD
CAUVERY BHAVANA, K.G. ROAD
BENGALURU-560 009
4. THE ASSISTANT DIRECTOR OF LAND
RECORDS, SURVEY AND SETTLEMENT
ANEKAL SUB-DIVISION, ANEKAL
BENGALURU URBAN DISTRICT - 562 106
5. THE CHIEF CONSERVATOR OF FORESTS
GOVERNMENT OF KARNATAKA
ARANYA BHAVAN, 18TH CROSS
MALLESHWARAM, BENGALURU-03

...RESPONDENTS

(BY SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL
FOR SRI B. RAVINDRANATH, AGA FOR R1, R4 & R5;
SRI H.L. PRADEEP KUMAR, ADVOCATE FOR R-2 & 3)

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR THE RECORDS IN WRIT PETITION NO. 15834/2016 (LA-KHB) ON THE FILE OF THE HONOURABLE LEARNED SINGLE JUDGE OF THE HONOURABLE HIGH COURT OF KARNATAKA AT BENGALURU, PERUSE THE SAME, HEAR THE APPELLANTS AND ETC.

IN WA NO. 2047/2025

BETWEEN:

1. KARNATAKA HOUSING BOARD AND ORS
REPRESENTED BY ITS COMMISSIONER
CAUVERY BHAVAN, BANGALORE - 560 001
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, BANGALORE - 560 001
...APPELLANTS

(BY SRI D.R. RAVI SHANKAR, SENIOR ADVOCATE FOR
SRI H L PRADEEP KUMAR, ADVOCATE)

AND:

1. SRI S LINGANNA
S/O SAMPANNI
AGED ABOUT 28 YEARS
2. SRI. SAMPANNI
S/O LATE LINGAIAH
AGED ABOUT 68 YEARS
3. SMT. B. MUNIYAMMA
D/O SAMPANNI
AGED ABOUT 58 YEARS
4. SMT. NAGARATHNA
D/O SAMPANNI
AGED ABOUT 45 YEARS

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5. SMT. S. EERAMMA
D/O SAMPANNI
AGED ABOUT 32 YEARS
6. SMT. S. SAVITRAMMA @ SAVITHA
D/O SAMPANNI
AGED ABOUT 35 YEARS
7. SMT. S. NAGAMMA,
AGED ABOUT 35 YEARS
D/O SAMPANNI
SINCE DEAD BY HER LR
- 7(a) K SIDDESHA
AGED ABOUT 30 YEARS
S/O LATE SMT. NAGAMMA AND
SRI KARIYELLAPPA
R/A KUMBARANAHALLI
KASABA HOBLI
ANEKAL TALUK
BENGALURU - 560 106
8. SRI S. MANJUNATH
S/O SAMPANNI
AGED ABOUT 29 YEARS

R1 TO 8 ARE
R/AT BOMMANDAHALLI VILLAGE
INDLAWADA POST
ANEKAL TALUK
BANGALORE DISTRICT - 560 106
9. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT
VIDHAN SOUDHA
BENGALURU - 560 001
10. THE DEPUTY CONSERVATOR OF FOREST
BANNERGHATTA NATIONAL PARK
ANEKAL TALUK

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11. THE ASST. DIRECTOR OF LAND RECORDS
AND SURVEY SETTLEMENT
ANEKAL TALUK, ANEKAL
BENGALURU DISTRICT

...RESPONDENTS

(BY SRI C.M. NAGABHUSHANA, ADVOCATE FOR R-1 TO 8;
SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR R9
TO R11)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13/01/2025 PASSED BY LEARNED SINGLE
JUDGE IN WP NO.32458/2015 AND ETC.

IN WA NO. 2072/2025

BETWEEN:

1. KARNATAKA HOUSING BOARD AND ORS
REPRESENTED BY ITS COMMISSIONER
CAUVERY BHAVAN, BANGALORE - 560001
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, BANGALORE - 560001

...APPELLANTS

(BY SRI D.R. RAVI SHANKAR, SENIOR ADVOCATE FOR
SRI H L PRADEEP KUMAR, ADVOCATE)

AND:

1. SMT. A RADHA
AGED ABOUT 48 YEARS
W/O SRI B. SRINIVASIAH
2. SRI B SRINIVASIAH
AGED ABOUT 55 YEARS
S/O SRI BEERAPPA

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3. SRI BHARGAV S
AGED ABOUT 22 YEARS
S/O B. SRINIVASIAH

RESPONDENT NOS. 1 TO 3
ARE R/AT NO.50/1
17TH CROSS
26TH MAIN
6TH PHASE, J.P. NAGAR
BANGALORE-560 017
4. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
REVENUE DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001

...RESPONDENTS

(BY SRI P V CHANDRASHEKAR, ADVOCATE FOR R1 TO R3;
SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13/01/2025 PASSED BY LEARNED SINGLE
JUDGE IN WP NO.9356/2016 AND DISMISS THE WRIT
PETITION AS BEING HOPELESSLY DELAYED, LACKING LEGAL
BASIS, AND BARRED BY ESTOPPEL AND ETC.

IN WA NO. 2082/2025

BETWEEN:

1. KARNATAKA HOUSING BOARD AND ORS
REPRESENTED BY ITS COMMISSIONER
CAUVERY BHAVAN
BANGALORE - 560 001
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

CAUVERY BHAVAN
BANGALORE - 560 001

...APPELLANTS

(BY SRI D.R. RAVISHANKAR, SENIOR ADVOCATE FOR
SRI H L PRADEEP KUMAR, ADVOCATE)

AND:

1. SRI MUNIYAPPA
S/O LATE PAPAIAH
AGED ABOUT 87 YEARS
2. SRI PAPANNA
S/O SRI MUNIYAPPA
AGED ABOUT 48 YEARS
3. SMT. RATHNAMMA
D/O SRI MUNIYAPPA
AGED ABOUT 54 YEARS
4. SMT. SHANTAMMA
D/O SRI MUNIYAPPA
AGED ABOUT 51 YEARS
5. SRI MAHESH KUMAR
S/O SRI MUNIYAPPA
AGED ABOUT 41 YEARS
6. SRI M LINGAPPA
S/O SRI MUNIYAPPA
AGED ABOUT 39 YEARS

R1 TO R6 ARE R/AT
KONASANDRA VILLAGE
KALLUBALA POST
ANEKAL TALUK
BANGALORE DISTRICT - 560 106

7. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

VIDHAN SOUDHA
BENGALURU - 560 001

...RESPONDENTS

(BY SRI C.M. NAGABHUSHANA, ADVOCATE FOR R-1 TO 6;
SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR R7)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 13.01.2025 PASSED BY LEARNED SINGLE
JUDGE IN WP NO.36164/2015 (LA-KHB) AND DISMISS THE
WRIT PETITION AS BEING HOPELESSLY DELAYED, LACKING
LEGAL BASIS, AND BARRED BY ESTOPPEL AND ETC.

IN WA NO. 2087/2025

BETWEEN:

1. KARNATAKA HOUSING BOARD AND ORS
REPRESENTED BY ITS COMMISSIONER
CAUVERY BHAVAN, BANGALORE-560 001
2. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD
CAUVERY BHAVAN, BANGALORE-560 001

...APPELLANTS

(BY SRI D.R. RAVI SHANKAR, SENIOR ADVOCATE FOR
SRI H L PRADEEP KUMAR, ADVOCATE)

AND:

1. SRI SRINIVASA
S/O JEEYAPPA
AGED ABOUT 45 YEARS
R/O KADUJAKKANANAHALLI
PO. INDLAWADA
JIGANI HOBALI

TALUK: ANEKAL
BENGALURU - 560 106

2. SRI MUNIRAJU
S/O JEEYAPPA
AGED ABOUT 59 YEARS
R/O KADUJAKKANANAHALLI
PO. INDLAWADA
JIGANI HOBALI
TALUK: ANEKAL
BENGALURU -560 106
3. SRI M. VENKATESH
S/O MUNISHAMAPPA
AGED ABOUT 52 YEARS
R/O 1234/5
OPP. NAVYA HOSPITAL
HEBBALA POST
BENGALURU - 560 024
4. SRI MAHADEVAPPA
S/O HANUMAIAH
AGED ABOUT 57 YEARS
R/O KADUJAKKANANAHALLI
POST INDIAWADA
JIGANI HOBALI
TALUK: ANEKAL
BENGALURU - 560 106
5. SRI NARAYANAPPA
S/O KENCHAPPA
AGE ABOUT 65 YEARS
R/O KADUJAKKANAHALLI
POST IDLAWADA
JIGANI HOBLI
TALUK ANEKAL
BENGALURU - 560 106
6. SRI M. VEERABHADRAPPA
S/O LATE MARAPPA
AGED ABOUT 59 YEARS
AT AND R/O ADOOR VILLAGE

KASABA HOBLI
ANEKAL TALUKU, ANEKAL
BENGALURU - 560 106

7. SRI HAREESH MAHADEVAPPA
S/O MAHADEVAPPA
AGED ABOUT 30 YEARS
R/O KADUJAKKANAHALLI
POST: INDLAWADI
JIGANI HOBLI, TALUK ANEKAL
BENGALURU - 560 106
8. S MANJUNATH
S/O SAMPAGI
AGED ABOUT 37 YEARS
AT CHOKKANATHAPURAM
TALUK: HOSUR
DISTRICT: KRISHNAGIRI
STATE: TAMILNADU 614843
9. SMT. MAMATA
W/O MANJUNATH
AGED ABOUT 27 YEARS
AT CHOKKANATHAPURAM
TALUK: HOSUR
DISTRICT: KRISHNAGIRI
STATE: TAMILNADU
10. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT
VIDHAN SOUDHA
BENGALURU - 560 001

...RESPONDENTS

(BY SRI P.V. CHANDRASHEKAR, ADVOCATE FOR R-1 TO 9;
SRI K. SHASHI KIRAN SHETTY, ADVOCATE GENERAL &
SRI ISMAIL ZABIULLA, ADDL. ADVOCATE GENERAL FOR
R10)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE

**WA No. 418 of 2025
C/W WA No. 391 of 2025
WA No. 392 of 2025
AND 9 OTHERS**

ORDER DATED 13/01/2025 PASSED BY LEARNED SINGLE JUDGE IN WP NO.4492/2021 AND DISMISS THE WRIT PETITION AS BEING HOPELESSLY DELAYED, LACKING LEGAL BASIS AND BARRED BY ESTOPPEL AND ETC.

THESE APPEALS HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 10.08.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, **HON'BLE MR. JUSTICE D K SINGH** PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

CAV JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

I PREFACE:

1. The present batch of appeals have been filed against the common Impugned Order dated 13.01.2025 passed by the learned Single Judge in W.P. No.43342/2015 and Connected Matters. The learned Single Judge, while disposing of the Writ Petitions, allowed the acquisition proceedings over agricultural lands on the condition that the Respondents shall obtain necessary clearances from the Ministry of Environment, Forest and Climate Change, Government of India (hereinafter referred to as 'the MoEFCC'), and quashed the acquisition proceedings over converted lands, except for the purpose of forming roads as per the Comprehensive Development Plan.

II BRIEF FACTS:

2. The landowners are the owners of agricultural lands situated in Indalawadi, Konasandra and Bommandahalli Villages, Anekal Taluk.

3. The State Government initiated land acquisition proceedings in respect of lands situated in Konasandra, Bommandanahalli, Kadujakanahalli, Indlavadi, and Baghanadoddi villages of Anekal Taluk for the purpose of formation of a residential layout – Suryanagar 4th Phase Layout by Karnataka Housing Board (hereinafter referred to as 'KHB'), and issued three Preliminary Notifications dated 19.10.2013 u/s 4(1) of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act of 1894'), proposing to acquire 2220 acres 02 guntas of land for the proposed project. The extent of lands in the Indlavadi, Bagganadoddi, Kadujakkanahalli, Konasandra, and Bommandhahalli Villages, Jigani and Kasaba Hobli, Anekal Taluk are as follows:

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VILLAGES	ACRES-GUNTAS
Konasandra	55 – 21
Bommandhahalli	497 – 00 ¼
Kadujakkanahalli	1003 – 18
Indlavadi	405 – 15 ¾
Bagganadoddi	258 – 37
TOTAL	2220 – 12

4. Subsequent to the preliminary notifications being issued, the landowners filed their objections dated 23.12.2013 and 18.03.2014 to the acquisition proceedings before the Special Land Acquisition Officer (hereinafter referred to as 'SLAO') as per Section 5A of the Land Acquisition Act, 1894, contending that the said lands, being used for agriculture and horticulture purposes, are the only source of livelihood to the Landowners. On 18.03.2014, the SLAO prepared an inquiry report as per Section 5A of the 1894 Act, rejecting the contentions of the

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landowners and acquiring the lands based on the report of the Assistant Executive Engineer.

5. The State Government issued three Final Declarations dated 12.03.2015, and the same were published on 02.04.2015 in the Official Gazette u/s 6(1) of the Act of 1894. The extent of lands sought to be acquired as per the Final Declaration was as follows:

VILLAGES	ACRES-GUNTAS
Konasandra	55 – 13
Bommandhahalli	384 – 01
Kadujakkanahalli	837 – 35
Indlavadi	401 – 31
Bagganadoddi	259 - 13
TOTAL	1938 - 13

6. The Landowners filed W.P.No.43342/2015 along with connected matters before the Learned Single Bench of this Court, challenging the acquisition proceedings and notifications

dated 19.10.2013 and 12.03.2015. Vide order dated 16.10.2015, the Learned Single Judge granted an interim stay on all further acquisition proceedings pursuant to the acquisition notifications, relying on the letter dated 12.01.2015 issued by the Deputy Conservator of Forests, Bannerghatta National Park, to the SLAO, stating that the Eco-sensitive Zone/buffer zone is located 10 kms from the boundary of Bannerghatta National Park.

7. On 03.06.2023, the KHB was granted Environment Clearance by the State Environment Impact Assessment Authority – Karnataka (hereinafter referred to as 'the SEIAA-Karnataka') for the proposed residential project. The Environmental Clearance was granted only to the extent of lands not sub judice in the Writ Petitions pending before the Learned Single Judge.

8. The interim order of stay dated 16.10.2015, granted by the Learned Single Judge, was modified on 10.12.2024 to allow the construction of roads over the project and allowed for construction being carried out on lands wherein such construction had started. Stay was granted on acquiring fresh

lands for fresh construction. Vide order dated 13.01.2025, the Learned Single Judge of this Court partly allowed the Writ Petitions, allowing the acquisition proceedings in respect of agricultural lands upon the affidavit filed by the KHB that the acquisition proceedings will be carried out after obtaining relevant clearances from the MoEFCC in respect of the subject lands, and quashing the acquisition proceedings in respect of lands converted for non-agricultural purposes.

9. Aggrieved by the impugned order, the present batch of appeals are filed. One set of appeals are filed by the landowners of the agricultural lands, and the other set of appeals are filed by KHB, aggrieved by the orders of acquisition of agricultural lands and non-acquisition of converted lands respectively.

10. On 11.12.2025, this Court granted an interim order, directing the parties to maintain status quo with respect to possession, etc. The Order is as follows:

"Sri M.N. Sudev Hedge, learned AGA is directed to accept notice for respondent Nos. 1, 4 and 5.

Issue emergent notice to respondent Nos. 2 and 3.

Post this matter on 20.01.2026.

In the meantime, the parties are directed to maintain status quo with respect to possession etc."

10.1 Vide order dated 15.06.2026, an interim order of stay on acquisition proceedings was granted by this Court. The order is reproduced as follows:

"Despite the order dated 15.04.2026, which would read as under:

"As a last chance, two weeks further time is granted to respondent Nos.2 and 3-Karnataka Housing Board to file statement of objections, if any.

Post these appeals on 15.06.2026."

the respondent Nos.2 and 3 have chosen not file the statement of objections. As on the last date of hearing, it was the last chance by which the respondents were granted two weeks time to file the statement of objections. Despite two months having gone-by, the respondents have chosen not to file their statement of objections. Therefore, their right to file statement of objections are closed.

No further proceedings shall be undertaken in respect of the entire land in pursuance to the impugned final notification dated 02.04.2015 (Annexure-B) till the next date of hearing.

Post these appeals on 10.07.2026."

11. Vide order dated 10.07.2026, we directed the Secretary, Government of India, MoEFCC to file his personal affidavit, on the following points:

"1. Whether the impugned land acquisition proceedings for formation of layout to construct houses in any manner would be violative of any of the recommendations of the Central Empowered Committee dated 05.01.2026?"

2. Whether the Ministry of Environment and Forest is required to give 'No Objection Certificate' for the project proposed on the land which has been notified for acquisition by the State Government in favour of the Karnataka Housing Board?"

3. Further, the Eco-Sensitive Zone earlier covering an area of 268.96 Sq.km around Bannerghatta National Park, which has been now reduced to 168.84 Sq.km in the Final Notification dated 11.03.2020, is to be restored by the State Government, and if it has to be restored, whether land acquisition would come within the Eco-Sensitive Zone as per the Draft Notification dated 15.06.2016?"

12. Pursuant to the Impugned Order, the KHB applied for modification of the Environmental Clearance dated 03.06.2023. The Modified Environmental Clearance was granted on 27.01.2026 by the SEIAA-Karnataka. As per the directions in the Impugned Order, the agricultural lands were to be subject

to the acquisition proceedings, and converted lands were to be excluded from the acquisition proceedings. The Environmental Clearance was obtained to the extent of agricultural lands.

13. On 10.08.2026, the Secretary to the Government of India, Ministry of Environment, Forest and Climate Change, Mr. Tanmay Kumar, filed his affidavit to the points raised by this court in order dated 10.07.2026. It reads as follows:

"3. At the outset, it is respectfully submitted that the Ministry is neither the acquiring authority nor the authority maintaining the revenue records or land records relating to the subject property. The Ministry's role in the present matter is confined to the implementation of the provisions of the Environment (Protection) Act, 1986 and the notifications issued thereunder, including the Eco-Sensitive Zone Notification pertaining to Bannerghatta National Park.

**REPLY TO THE DIRECTIONS CONTAINED
IN THE ORDER DATED 10.07.2026**

Regarding Point No.1

1. "Whether the impugned land acquisition proceedings for formation of layout to construct houses in any manner would be violative of any of the recommendations of the Central Empowered Committee dated 05.01.2026?"

Reply: *It is respectfully submitted that the Central Government, in exercise of the powers conferred under Section 3 of the*

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*Environment (Protection) Act, 1986 read with Rule 5 of the Environment (Protection) Rules, 1986, notified the Eco-Sensitive Zone surrounding Bannerghatta National Park in the State of Karnataka vide Notification No. S.O.1036 E) dated **11.03.2020**. The said Notification declares an Eco-Sensitive Zone covering an area of **168.84 square kilometres**, with an extent varying from **100 Mts. etres to one kilometre** around the boundary of Bannerghatta National Park and specifies the prohibited, regulated and permissible activities within the notified Eco-Sensitive Zone.*

*A copy of the Notification dated 11.03.2020 is annexed herewith and marked as **Annexure R-1**.*

*It is respectfully submitted that the Hon'ble Supreme Court, while considering I.A. No.138324 of 2025 in W.P.(C) No.202 of 1995 (T.N. Godavarman Thirumulpad v. Union of India & Others) directed the Central Empowered Committee (CEC) to examine issues relating to the Eco-Sensitive Zone surrounding Bannerghatta National Park. Pursuant thereto, the Central Empowered Committee submitted its Report dated **05.01.2026** wherein, inter alia, recommendations were made with regard to the extent of the Eco-Sensitive Zone, including restoration of the area proposed under the Draft Notification dated 15.06.2016.*

*A copy of the CEC Report dated 05.01.2026 is annexed herewith and marked as **Annexure R-2**.*

It is respectfully submitted that the recommendations contained in the Report

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*dated 05.01.2026 are presently under examination by the Ministry. Since the recommendations involve issues having environmental, legal and administrative implications, the Ministry considered it appropriate to obtain the views of the Government of Karnataka before taking any further decision. Accordingly, comments of the Government of Karnataka were sought vide communication dated **18.02.2026**, which are awaited.*

*A copy of the communication dated 18.02.2026 is annexed herewith and marked as **Annexure R-3**.*

In the above circumstances, no final decision has yet been taken by the Central Government on the recommendations contained in the Report of the Central Empowered Committee dated 05.01.2026. Consequently, it would not be appropriate for the Ministry to express any conclusive opinion, at this stage, as to whether the impugned land acquisition proceedings would be violative of the recommendations contained in the said Report. The recommendations are under active consideration and the decision-making process is yet to be concluded.

WITH REGARD TO POINT NO. 2

2. "Whether the Ministry of Environment and Forest is required to give 'No Objection Certificate' for the project proposed on the land which has been notified for acquisition by the State Government in favour of the Karnataka Housing Board?"

Reply: *It is respectfully submitted that the Eco-Sensitive Zone Notification dated*

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11.03.2020 provides that the State Government shall prepare a Zonal Master Plan for the Eco-Sensitive Zone in consultation with the local people and in conformity with the provisions of the Notification. The said Zonal Master Plan is required to be approved by the competent authority of the State Government.

It is further submitted that the aforesaid Notification also provides for constitution of Monitoring Committee headed by Regional Commissioner, Bengaluru (Chairman, ex-officio) for effective monitoring and implementation of the provisions contained therein.

It is respectfully submitted that neither the provisions of the Environment (Protection) Act, 1986 nor the Eco-Sensitive Zone Notification dated **11.03.2020** contemplate issuance of a general '**No Objection Certificate**' by the Ministry of Environment. Forest and Climate Change merely on account of acquisition of land by the State Government. The requirement of obtaining statutory permissions, if any, is governed by the applicable provisions of law and the conditions stipulated under the relevant statutory notifications.

It is submitted that any activity proposed within the notified Eco-Sensitive Zone is required to conform to the provisions of the Eco-Sensitive Zone Notification, the applicable Zonal Master Plan and such statutory approvals as may be required (under the applicable laws. The permissibility of any particular activity is required to be examined by the Competent Authority in accordance with the applicable statutory framework.

WITH REGARD TO POINT NO.3

3. "Further, the Eco-Sensitive Zone earlier covering an area of 268.96 Sq.km around Bannerghatta National Park, which has been now reduced to 168.84 Sq.km in the Final Notification dated 11.03.2020, is to be restored by the State Government, and if it has to be restored, whether land acquisition would come within the Eco-Sensitive Zone as per the Draft Notification dated 15.06.2016?

Reply: It is respectfully submitted that the issue as to whether the subject land falls within the Eco-Sensitive Zone proposed under the Draft Notification dated 15.06.2016 is essentially a matter requiring verification of authenticated survey records, geo-referenced maps, cadastral maps, revenue records and other relevant documents maintained by the competent authorities of the Government of Karnataka. In the absence of such verified site-specific records and the comments of the State Government which deals with the subject matter of "land" in its jurisdiction, the Ministry is not in a position to independently ascertain the exact location of the subject land vis-à-vis the proposed Eco-Sensitive Zone.

It is further submitted that the recommendations of the Central Empowered Committee regarding restoration of the Eco-Sensitive Zone are presently under examination by the Central Government and no final decision has been taken thereon. Consequently, the Ministry is not in a position to express any definitive opinion, at this stage, as to whether the subject land proposed for acquisition would fall within the

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*Eco-Sensitive Zone as contemplated under the Draft Notification dated **15.06.2016**.*

*It is respectfully submitted that the Ministry has duly taken note of the Report dated **05.01.2026** submitted by the Central Empowered Committee and has initiated the process of examination of the recommendations contained therein by seeking the views of the Government of Karnataka. Appropriate decision, if any, shall be taken by the Central Government strictly in accordance with law, the applicable statutory provisions and the orders passed by the Hon'ble Supreme Court.*

The present affidavit is accordingly filed in faithful compliance with the Order dated 10.07.2026 passed by this Hon'ble Court."

III SUBMISSIONS ON BEHALF OF THE LANDOWNERS:

14. Learned Senior Counsel Sri Udaya Holla appearing for the landowners submitted that the impugned order dated 13.01.2025 passed by the learned Single Judge is erroneous and arbitrary.

15. The learned Senior Counsel submitted that the proposed project required necessary Environment Clearances. Reliance was placed on the notification dated 14.09.2006 issued by the MoEFCC, Government of India, wherein all developmental

activities including township and area development projects would require Environmental Clearance.

16. Learned Senior Counsel further submitted that the proposed project required recommendations and clearance from the Standing Committee from the National Board for Wildlife. Reliance was placed on the Guidelines issued by the Wildlife Division of the MoEFCC dated 19.12.2012, which provided that clearance from the Standing Committee of National Board for Wildlife was required in cases where any non-forest activities to be undertaken falls within the boundaries of National Parks, Wildlife Sanctuaries, Tiger Reserves, Conservation Reserves and Eco-Sensitivity Zones, or if the same are not demarcated, within 10kms of its boundaries.

17. It was contended that the objections filed by the appellants before the SLAO were not considered, thereby being in violation of the procedure laid down in Rule 5 of the Karnataka Land Acquisition Rules 1965. Further, a copy of the report filed by the Assistant Executive Engineer of KHB before the Respondent No.3 – SLAO was not given to the appellants. It

was further contended that the Impugned order suffers from discrimination, as it differentiates between, and discriminates against persons who own agricultural land and non-agricultural land. The impugned order allowed the acquisition proceedings over agricultural lands and quashed the same over converted lands on the ground that the landowners of converted lands were ready to pay betterment charges and exclude their lands from the acquisition proceedings. The same opportunity not being given to the agricultural lands owners amounts to discrimination and violates Article 14 and 21 of the Constitution.

18. It was submitted that, the final notification dated 12.03.2015 was issued beyond a period of 1 year, thereby not being in compliance with the procedure under section 6 of the 1894 Act. Reliance was placed on **ASHOK KUMAR & ORS V. STATE OF HARYANA & ANOTHER (2007) 3 SCC 470** and **ANIL KUMAR GUPTA V. STATE OF BIHAR AND OTHERS (2012) 12 SCC 443.**

19. It was further submitted that, the KHB had given undertaking before the National Green Tribunal, Chennai

(hereinafter referred to as 'NGT, Chennai') in Application No. 145 of 2016 that all statutory clearances for the proposed project would be obtained in accordance with law. It was further submitted that Respondent No.4 – Deputy Conservator of Forests admitted in his Statement of Objections to W.P.Nos.43344-50/2015 that the lands belonging to the Appellants fall within the Eco-Sensitive Zone (hereinafter referred to as 'the ESZ') of Bannerghatta National Park. The ESZ around the Bannerghatta National Park was determined and notified vide notification issued by the MoEFCC dated 15.06.2016, wherein the ESZ area was measure at 268.96 Sq. Km with an extent of 100 Mts. – 4.5 Kms. such ESZ included the appellants villages. This was followed by an affidavit dated 25.10.2018 filed by the Assistant Conservator of Forests in the said Writ Petition, providing that not only do the lands fall within the ESZ of Bannerghatta National Park, but also that the clearance from the Standing Committee for NBWL was mandatory as per the order of the Supreme Court dated 04.12.2006 in W.P. 460/2004.

20. Learned Senior Counsel placed reliance on interim order dated 16.01.2020 in W.P.47/2020 passed by this Court,

wherein this Court directed the Respondents to ensure that no commercial or development activities were undertaken within a radius of 10 Kms of the Bannerghatta National Park. This interim order still stands and is not vacated.

21. It was submitted that the MoEFCC issued a re-notification dated 11.03.2020 wherein the extent of ESZ around Bannerghatta National Park was reduced to 100 Mts. – 1 Km. Even as per the said re-notification, the lands of the Appellants fall within the ESZ.

22. It was further submitted that KHB obtained Environmental Clearance from the SEIAA-Karnataka for the proposed project on 03.06.2023. Although such clearance was obtained, the clearance was void on the following grounds: (i) the Environmental Clearance from EIA was issued without obtaining the clearance from the Standing Board of NBWL as per the directions of the Supreme Court dated 04.12.2006 and the notification of the MoEFCC dated 19.12.2012, and (ii) the survey nos. of the Appellants' lands are not mentioned in the said Environmental Clearance. Thus, the said clearance is contrary to law and is a nullity.

23. It was further contended that the re-notification dated 11.03.2020 was referred to the Central Empowered Committee (CEC) for its examination and recommendations as per the order of the Supreme Court dated 08.10.2025 in W.P.202/1995 (T.N. Godavarman case). Vide report dated 05.01.2026, the CEC submitted its report which recommended the MoEFCC to withdraw the re-notification as it excluded the scientifically identified elephant corridors and ecologically important patches of Bannerghatta National Park. It further recommended to restore the original notification dated 15.06.2016 which specified the extent of ESZ to 100 Mts. – 4.5 Kms. It further stated that the proposed project adjoins the boundary of the ESZ around the Bannerghatta National Park, and construction of the same would have irreversible environmental consequences.

**IV SUBMISSIONS ON BEHALF OF THE KARNATAKA
HOUSING BOARD:**

24. Learned Senior Counsel Sri D.R. Ravi Shankar appearing for the KHB and SLAO submitted that all necessary clearances were obtained by the KHB for the proposed project. The same are as follows:

- Housing Scheme approved by State Government vide GO dated 20.03.2013 as per KHB Act, 1962;
- SEIAA-Karnataka Environmental Clearance dated 03.06.2023 for the lands excluding the ones under challenge before the Learned Single Judge
- Draft Demarcation Plan Approval of Layout Plan dated 23.07.2021 along with Modified Plan in May 2026 accorded by Satellite Town Ring Road (STRR) and BMRDA Planning Authority.
- Karnataka State Pollution Control Board clearance for development of proposed project dated 11.03.2025.
- RERA Registration Certificate of proposed project dated 10.02.2025.
- SEIAA-Karnataka Environmental Clearance dated 27.01.2026 for all the lands pursuant to the Impugned Order allowing for acquisition proceedings.
- Approval of Wildlife Impact Mitigation Plan by Principal Chief Conservator of Forests upon payment of Rs. 1.50 crores by KHB.

25. It was further submitted that the proposed project is valid in terms of the Draft Notification dated 15.06.2016 and also in

terms of the Final Notification dated 11.03.2020. As per the Draft Notification dated 15.06.2016, the proposed project comes within the 'Regulated Activities' as stipulated in Sl. No. 11 (b) of the Table, allowing for construction for bona fide local needs beyond 1 km up to the extent of ESZ i.e., 1km – 4.5km from the ESZ. As per the final notification, the extent was reduced from 4.5km to 1km. Thus, the proposed project, even though covering lands within the ESZ of Bannerghatta National Park, is not invalid in terms of the Final Notification.

26. On the interim order of stay dated 16.01.2020 granted by this Court in W.P. 47/2020, prohibiting all commercial and development activities prospectively, learned Senior Counsel submitted that the interim order of stay stood vacated in light of issuance of the Final Notification dated 11.03.2020. Further, the petitioner's IA for stay of the final notification in W.P. 47/2020 was not allowed.

27. On the order that the converted lands were excluded from the scope of acquisition proceedings as per the Impugned Order, it was submitted that the Circular dated 03.03.2007 bearing No. CI 151 SPQ 2007 and Circular dated 18.03.2013

bearing No. CI 590 SPQ 2012 related to the acquisition of lands by the Karnataka Industrial areas development Board (KIADB) for industrial purposes. Thus, they do not operate as a bar on acquisition of converted lands by KHB for the proposed project.

28. Mere conversion of lands does not create an absolute bar against their acquisition by the State for public purpose, which includes housing scheme. Reliance was placed on the affidavit filed by the Housing Commissioner wherein it was stated that the converted lands could be excluded from acquisition proceedings only when a notification u/s 4(1) of the 1894 Act was issued and the duly approved layouts were formed. Conversion of lands cannot be a ground for exclusion from acquisition proceedings when no layout is formed. Reliance was placed on the decisions in ***S.S. DARSHAN V. STATE OF KARNATAKA [(1996) 7 SCC 302]***, ***JAI NARAIN V. UNION OF INDIA [(1996) 1 SCC 9]***, and ***JUNJAMMA V. BANGALORE DEVELOPMENT AUTHORITY (ILR 2005 KAR 608)***, wherein the principle that mere conversion of agricultural land to non-agricultural use does not impede the power of the State to acquire the land for public purpose, which includes housing schemes.

29. Learned Senior Counsel, along with Learned Advocate General for the State Shri Shashi Kiran Shetty appearing for the State Government, Deputy Conservator of Forests, as well as the Assistant Director of Land Records and Survey Settlement, submitted that the acquisition proceedings were in strict accordance with the procedure of law, including obtaining prior sanction of the Government u/s 18 of the KHB Act, 1962 before the issuance of preliminary notification u/s 4 of the 1894 Act. It was further submitted that acquisition for public purpose would override the fact that lands were converted for non-agricultural uses. The quashing of Preliminary and Final Notifications is not justified in law as the considerations of the Landowners were heard and taken into consideration as per Section 5A of the 1894 Act.

30. Learned Advocate General submitted that the time limit for passing of award under the 1894 Act was extended vide a notification dated 04.01.2020 due to the pendency of the Writ Petitions in W.P. 43342/2015 and Connected Matters, along with an interim order of stay on the acquisition proceedings dated 16.12.2015, which was subsequently modified on

10.12.2024. It was further submitted that as per the order dated 25.09.2023 passed by the learned Single Judge, the ADLR conducted a survey and submitted a report, wherein it was observed that the lands under acquisition were away from the ESZ of the Bannerghatta National Park. The said ESZ was determined as per the re-notification dated 11.03.2020, determining the extent of ESZ to 100 Mts. – 1 km from the boundary of the National Park.

V ISSUES INVOLVED:

- I. Whether the acquisition proceedings were in accordance with law as per the Land Acquisition Act, 1894?
- II. Whether the impugned land acquisition proceedings undertaken for housing scheme of the Karnataka Housing Board in respect of 2404 acres of land in Konasandra, Bommandahalli, Kadujakkanahalli, Indlawadi and Bagganadoddi Villages of Anekal Taluk known as "Suryanagar 4th Stage", are violative of the Environment (Protection) Act, 1986 and the relevant notifications in respect of the ESZ of Bannerghatta National Park against the report of the CEC and against the public interest?

VI ANALYSIS AND CONCLUSION:

31. Before we delve into the issues at hand, we must take note of the Bannerghatta National Park and its ecological importance.

Significance of Bannerghatta National Park:

32. Bannerghatta National Park is situated approximately 20–22 km south of Bengaluru in the Anekal hill ranges. It covers an area of approximately 260.51 Sq.km and extends across portions of Bengaluru Urban, Bengaluru Rural and Ramanagara districts. The National Park comprises tropical dry deciduous, dry thorn, scrub and moist mixed-deciduous forests, together with riverine vegetation occurring along valleys, streams and drainage lines.

33. The National Park forms part of a wider forest landscape that is ecologically connected with the Cauvery Wildlife Sanctuary in Karnataka and the Thali, Javalagiri and adjoining reserve forests in Tamil Nadu. The larger landscape constitutes an important catchment and watershed for streams and tributaries contributing to the Cauvery river system. It also

performs significant ecological functions, including the conservation of biodiversity, maintenance of hydrological processes, carbon sequestration and the provision of ecosystem services to the Bengaluru metropolitan region.

34. The National Park supports a diverse range of fauna, including Asian elephants, leopards, Indian gaur, sambar, chital, sloth bear, dhole, wild pig, barking deer, mouse deer, striped hyena, jungle cat, pangolin, slender loris, porcupine and other primate species. Its avifauna includes peafowl, grey junglefowl, raptors, woodpeckers, parakeets, cuckoos, orioles and drongos, among other species. The National Park also supports a variety of reptiles and amphibians, including pythons, cobras, vipers, monitor lizards, tortoises, frogs and toads. The yellow-throated bulbul has also been recorded in the landscape.

35. The National Park is of particular significance as an elephant habitat and movement landscape. It forms part of the Mysore Elephant Reserve and is connected, either directly or functionally, with the Cauvery landscape, the Hosur-Krishnagiri forests, the Nilgiri Biosphere region and the wider forest

complex of southern Karnataka and Tamil Nadu. The available material indicates that elephants use the National Park and adjoining forests seasonally and move across the boundaries of the protected area in response to the availability of food, water and suitable habitat.

36. At the same time, the National Park has a relatively narrow configuration and is subject to an extensive interface with human settlements, roads, infrastructure, agriculture and other land uses. Habitat fragmentation and bottlenecks in adjoining areas have affected ecological connectivity and have contributed to recurring instances of human–elephant conflict. The conservation of the National Park therefore requires consideration of the wider connected landscape, including adjoining forests, movement routes, water catchments and habitat patches outside the notified boundary.

Importance of Elephant Corridors:

37. Elephants are wide-ranging and highly mobile animals requiring access to interconnected habitats for feeding, watering, breeding, seasonal movement and dispersal. Their ecological role extends beyond the limits of any individual

protected area. Through their movement across forests, grasslands, river systems and adjoining habitats, elephants contribute to seed dispersal, regeneration of vegetation and the maintenance of ecological processes.

38. The conservation of elephant populations cannot, therefore, be considered solely with reference to isolated protected areas. It also requires the preservation of ecological linkages and movement corridors connecting such areas. Fragmentation caused by roads, railways, settlements, mining, industrial activity and other infrastructure may obstruct traditional movement routes, restrict access to habitat and water resources, isolate populations and increase the likelihood of human–elephant conflict. The protection of elephant habitat consequently includes the protection of the corridors and linkages through which, elephants access and utilise the wider landscape.

39. The publication titled 'Elephant Corridors of India, 2023', issued by the Project Elephant Division of the Ministry of Environment, Forest and Climate Change, identifies three elephant corridors associated with the Bannerghatta

landscape: (i) Karadikkal–Madeswara Corridor, connecting Karadikkal State Forest and Madeswara State Forest and facilitating year-round elephant movement, including the movement of large herds; (ii) Tali–Bilikal Corridor, an interstate corridor connecting the Bannerghatta landscape with the North Cauvery Wildlife Sanctuary in Tamil Nadu and identified as being subject to significant threats; and (iii) Bilikal–Jowlagiri Corridor, a narrow interstate corridor connecting Bannerghatta with the North Cauvery Wildlife Sanctuary and reported to be affected by haphazard barriers and other obstructions.

40. These corridors facilitate seasonal and long-distance movement, preserve habitat permeability, enable access to food and water, and assist in maintaining the genetic and ecological continuity of elephant populations. Their obstruction may increase the confinement of elephants within fragmented habitats and may consequently intensify encounters between elephants and human settlements. The Bannerghatta–Cauvery–Hosur landscape must therefore be assessed as an interconnected elephant conservation landscape, and the protection of the identified corridors is relevant to maintaining the functional integrity of that larger landscape.

Re. Issue No. I

41. Before we go into the issues at hand, it would be necessary to extract Sections 4(1), 5A, and 6(1) of the Land Acquisition Act, 1894:

"4. Publication of preliminary notification and powers of officers thereupon

(1) Whenever it appears to the appropriate Government that land in any locality is needed or is likely to be needed for any public purpose or for a company, a notification to that effect shall be published in the Official Gazette and in two daily newspapers circulating in that locality of which at least one shall be in the regional language, and the Collector shall cause public notice of the substance of such notification to be given at convenient places in the said locality (the last of the dates of such publication and the giving of such public notice, being hereinafter referred to as the date of the publication of the notification).

5-A. Hearing of objections

(1) Any person interested in any land which has been notified under section 4, sub-section (1), as being needed or likely to be needed for a public purpose or for a company may, within thirty days from the date of the publication of the notification, object to the acquisition of the land or of any land in the locality, as the case may be.

(2) Every objection under sub-section (1) shall be made to the Collector in writing, and the Collector shall give the objector an opportunity of being heard in person or by

any person authorised by him in this behalf or by pleader and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under section 4, sub-section (1), or make different reports in respect of different parcels of such land, to the appropriate Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government. The decision of the appropriate Government on the objections shall be final.

6. Declaration that land is required for a public purpose

(1) Subject to the provisions of Part VII of this Act, when the appropriate Government is satisfied, after considering the report, if any, made under section 5-A, sub-section (2), that any particular land is needed for a public purpose, or for a company, a declaration shall be made to that effect under the signature of a Secretary to such Government or of some officer duly authorised to certify its orders [and different declarations may be made from time to time in respect of different parcels of any land covered by the same notification under section 4, sub-section (1), irrespective of whether one report or different reports has or have been made (wherever required) under section 5-A, sub-section (2)]

Provided that no declaration in respect of any particular land covered by a notification under section 4, sub-section (1),

(i) published after the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967), but

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before the commencement of the Land Acquisition (Amendment) Act, 1984, shall be made after the expiry of three years from the date of the publication of the notification; or

(ii) published after the commencement of the Land Acquisition (Amendment) Act, 1984, shall be made after the expiry of one year from the date of the publication of the notification

Provided further that no such declaration shall be made unless the compensation to be awarded for such property is to be paid by a company, or wholly or partly out of public revenues or some fund controlled or managed by a local authority.

Explanation 1. In computing any of the periods referred to in the first proviso, the period during which any action or proceeding to be taken in pursuance of the notification issued under section 4, sub-section (1), is stayed by an order of a Court shall be excluded."

42. A bare perusal of the provisions would imply that the time limit for the issuance of final declaration u/s 6 of the Act is one year from the date of publication of preliminary notification issued u/s 4 of the 1894 Act. Section 4(1) provides that the date of the publication of the notification shall be the last of the dates of two events: (i) publication in the local newspapers and (ii) causing public notice. As per the reading of the provisions, it can be said that the time limit of one year, as stipulated in

Clause (ii) of the Proviso to Section 6, shall begin from the date of publication in newspaper or the date of causing public notice of the substance of the notification, whichever is later. In the present case, the Preliminary Notification was issued on 19.10.2013, published in the Karnataka Gazette on 14.11.2013, published in the local newspaper 'Vijayvani' on 28.11.2013, and was caused public notice at Village Chavadi on 14.03.2014.

43. It can be observed that the objections to the acquisition proceedings were filed by the Landowners on 23.12.2013, being within the 30-days window before the SLAO as per Section 5A of the 1894 Act. Subsequently, further objections were filed on 18.03.2014 following the notification published in the Village Chavadi dated 14.03.2014. The fact that the Landowners filed their objections before the SLAO on 23.12.2013, before the public notice dated 14.03.2014 was caused vide publication in the Village Chavadi, makes it clear that the Landowners were well aware of the acquisition proceedings and have taken measures by filing necessary objections before the SLAO prior to the publication of notification in the Village Chavadi. However, the mere filing of

objections dated 23.12.2013 before the SLAO does not imply that the time limit of one year begins from the date of publication in the newspaper i.e., 28.11.2013. As per the Act, the period of one year begins from the last date of publication or causing public notice of the substance of the notification. In the present case, the substance of the Notifications was published in the Village Chavadi on 14.03.2014, the Landowners filed their objections on 18.03.2014, and the Final Declarations were issued on 12.03.2015. Thus, on a combined reading of Sections 4 and 5A, the proceedings u/s 5A of the 1894 Act began from the date of publication of the Preliminary notification i.e., from the date of last publication (the causation of public notice of the substance of the notification in a public place.

44. In ***KHUB CHAND V. STATE OF RAJASTHAN (AIR 1967 SC 1074)***, it was laid down that the object of Section 4 was to give intimation to the person whose land was sought to be acquired. In the present case, pursuant to the publication of the Preliminary notification u/s 4, objections were filed by the landowners on 23.12.2013. However, the proceedings u/s 5A were initiated only after the last publication i.e., causing public

notice of the substance of the notification dated 14.03.2014. As laid down in the case of ***KHUB CHAND V. STATE OF RAJASTHAN*** (*supra*), the provisions of a statute conferring the power on the government to compulsorily acquire lands shall be strictly construed. Thus, the time limit of one year as specified in Clause (ii) of Proviso to Section 6 must be strictly followed by the respondents, and the same was adhered to in the present case.

45. The contention of the Learned Senior Counsel for the Landowners that the time gap between: 19.10.2013 – the date of publication of the Preliminary Notification in the Official Gazette and 12.03.2015 – the date of publication of Final Declaration, is more than 1 year, thereby violating the time limit as specified in the 1894 Act cannot be accepted. On a strict reading of the 1894 Act, the time period between the date of last publication of the Preliminary Notification – 14.03.2014, and the date of Final Declaration – 12.03.2015, is within 1 year, thereby following the procedure as laid down by the 1894 Act. The Supreme Court in ***EUGENIO MISQUITA V. STATE OF GOA [(1997) 8 SCC 47]*** held as follows:

"7. It is now well settled that the last of the dates in the series of the publications made under Section 4(1) of the Act is the relevant date to reckon the starting point of limitation for the purpose of proviso to Section 6(1)(ii).

Now, the question is which is the relevant date to reckon the last date for the purpose of clause (ii) of the first proviso to Section 6(1). In other words, whether the modes of publication prescribed under Section 6(2) obviously for the purpose of reckoning limitation under Section 11-A of the Act have any part to play in the matter of computing the period prescribed under clause (ii) of the first proviso to Section 6(1).

8. According to the learned counsel, the limitation prescribed under clause (ii) of the first proviso to Section 6(1) has to be construed with reference to the different dates/modes of publication prescribed under Section 6(2) of the Act. In support of this submission, learned counsel refers to the judgments of this Court rendered on Section 4(1) of the Act holding that the last of the dates of such publication in the series is the relevant date for computing the period of limitation under clause (ii) of the first proviso to Section 6(1).

9. Let us examine whether the learned counsel is right in his submission. As seen from the above extracts of relevant provisions, while Section 4(1) commands publication of notification under that section, Section 6 speaks of the declaration being made to the effect that any particular land is needed for public purpose or for a company. There are judicial decisions that have interpreted the word "made" to mean "published" for the reasons stated in those

decisions. Therefore, strictly speaking, but for those judicial decisions the date of making of the declaration under Section 6(1) will be the relevant date for reckoning the period of limitation. However, in the interest of the general public, the courts have taken the view that the declaration made will stand accomplished only when it is published. This publication has, therefore, nothing to do with the publication referred to in Section 6(2) of the Act which is for a different purpose, *inter alia*, for reckoning the limitation prescribed under Section 11-A of the Act. This construction is supported by the language employed in Section 6(2) of the Act. **In particular, the word "hereinafter" used in Section 6(2) will amply prove that the last of the series of the publication referred to under Section 6(2) is relevant for the purposes coming thereafter, namely, for making award under Section 11-A. The language employed in second proviso to Section 6(1) also supports this construction.** Therefore, the contention of learned counsel cannot be accepted."

46. The Supreme Court in **EUGENIO MISQUITA** (*supra*) followed its decision in the case of **KRISHI UTPADAN MANDI SAMITI V. MAKRAND SINGH [(1995) 2 SCC 497]**, wherein it was held as follows:

"4. The question, therefore, is that which date of the publications in three steps i.e. publication in the Gazette, two newspapers and local publication to be the last date for the purpose of computing three years' limitation prescribed in clause (i) of the

proviso to Section 6(1) of the Act. Prima facie, it gives an impression that the last of any of the three steps puts in motion, the running of limitation of three years. But on deeper probe, it does not appear to be so and such a construction would easily defeat the public purpose and deflects the course of justice. So it is necessary to understand the scheme and policy of the Act to get the crux of the question. It is seen that sub-section (1) of Section 4 gives power of eminent domain to the State to acquire the land, whenever it appears to it that the land is needed or likely to be needed for any public purpose or for any company, by a notification published in the Official Gazette and two daily newspapers circulating in that area and at least one of them should be in the regional language and also the Collector is enjoined to cause public notice of the substance of notification to be given at convenient places in the said locality in which the land is situated. **It is also mentioned thereunder that the last date of such publication and the giving of such public notice "being hereinafter referred to" as the date of publication of the notification.** It would be seen that the purpose of notification under Section 4(1) is an intimation to the owner or person having an interest in the land that Government exercised the power of eminent domain in relation to his land and for public purpose his land is needed or likely to be needed; puts an embargo on his freedom to deal with the land as an unencumbered land and also pegs the price of the land prevailing as on that date. It also is a caveat to the Collector to make the award under Section 11 as well as to determine the market value prevailing as on the last of the dates to be the date and the award should be made within a period

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*prescribed by Section 11-A, lest the entire acquisition shall stand lapsed. **The word 'hereinafter' is for such purposes as well as for the purpose of determination of the compensation under Chapter III of the Act as well. Therefore, the word 'hereinafter' referred to as the last date of the publication of the notification is the date from which the prevailing prices of the land is to be computed etc.***

47. A Coordinate Bench of this Court in **KARNATAKA HOUSING BOARD V. STATE OF KARNATAKA (1997 SCC ONLINE KAR 587)** has rightly held as follows:

*"5. The purpose and object of publication of the notifications under Sections 4 and 6 of the Act is to afford the affected person an opportunity to show cause against the proposed action in accordance with the provisions of the Act. Even though the provisions of these sections are mandatory yet are not required to be interpreted on a hyper technical and sensitive pleas. A distinction has to be made between the words 'making' the declaration and 'publication' which are not synonymous. **The starting point of limitation for the purposes of Section 6 is the date of the publication of notification under Section 4(1) and for the purpose of Section 11-A the publication of the declaration under Section 6. In other words, the starting point of the limitation for the purposes of Section 6 is the date of publication of the notification under Section 4 and the point is making of the declaration, as distinguishable from its publication.** Similarly, the starting point of limitation for*

*the purposes of Section 11 of the Act would be the date of the publication of the declaration under Section 6 and end point would be the making of the award. **There is no dispute that the date of the publication of the notifications and declaration shall be the last of the dates of the publication of the notification or the declaration in the manner prescribed under the aforesaid two sections.** Making of declaration under Section 6 means the signing of the declaration by the competent authority and publication of the declarations is the follow-up action which is resorted without loss of time. Time limit provided under sub-section (1) of Section 6 shall not be applicable to the publication of notification under sub-section 2..."*

48. Even though there is a delay between the date of publication in the newspaper – 28.11.2013 and the date of the causing of public notice – 14.03.2014, the same cannot vitiate the acquisition proceedings. It has been consistently held by the Courts that mere delay between the publication in newspapers and causing public notice does not vitiate the acquisition proceedings. In **STATE OF HARYANA V. RAGHUBIR DAYAL [(1995) 1 SCC 133]**, the Supreme Court held as follows:

"7. Therefore, the word 'shall' used in Section 4(1) should be construed to be mandatory because the requirement of Section 4(1) of the publication of the notification in the Gazette followed by their

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*publication in the newspapers perhaps in some cases may not meet the needed purpose of notice to the owner or person claiming interest in the land proposed to be acquired. **For instance, in rural areas most agriculturists may not read even the vernacular newspapers. Their fields are their world and work therein is their breadwinner. They would come to know only if the substance of the notification is published (announced) in the village by beat of drum. Therefore, publication of the substance of the notification of Section 4(1) and in the locality is mandatory but it is not the requirement of the law that it be done simultaneously with the publication in the Gazette or newspapers. Though there is a time gap of more than six months between the date of the notification under Section 4(1) in the State Gazette and the date of the publication of the substance of the notification in the locality, the delay by itself does not render the notification under Section 4(1) published in the State Gazette, invalid.***

49. The cases of **ASHOK KUMAR & ORS V. STATE OF HARYANA & ANOTHER [2007) 3 SCC 470]** and **ANIL KUMAR GUPTA V. STATE OF BIHAR AND OTHERS [(2012) 12 SCC 443]** as relied upon by the Learned Senior Counsel for the Landowners that the proceedings are lapsed due to the Final Declarations being issued beyond a period of one year is not applicable to the present case. Thus, we do not find any

force in the contention of the Landowners that the Final Declaration was issued beyond a period of one year from the date of publication of Preliminary Notification. We have no hesitation to hold that the Preliminary Notifications dated 19.10.2013 and Final Declarations dated 12.03.2015 are valid in law, and the acquisition proceedings are not lapsed on this count.

Re: Issue No. II

50. The next issue which arises for consideration is whether the impugned land acquisition proceedings undertaken for the housing scheme of the Karnataka Housing Board in respect of 2404 acres of land in Konasandra, Bommandahalli, Kadujakkanahalli, Indlawadi and Bagganadoddi Villages of Anekal Taluk known as "Suryanagar 4th Stage" are violative of the Environment (Protection) Act, 1986 and the relevant notifications in respect of the ESZ of Bannerghatta National Park as well as against the report of the CEC and public interest?

51. Initially, three different preliminary notifications under Section 4(1) of the Land Acquisition Act, 1894 were issued to

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acquire 2220.12 acres of land in Konasandra, Bommandahalli, Kadujakkanahalli, Indlawadi and Bagganadoddi Villages, Jigani and Kasaba Hobli, Anekal Taluk. The proceedings under Section 5A of the Land Acquisition Act were conducted by considering the objections filed by the landowners, and three final notifications under Section 6(1) were issued on 12.03.2015 acquiring 1938.13 acres of land. The final notifications were published in the Karnataka Gazette on 02.04.2015 in respect of five villages as mentioned hereunder: -

VILLAGES	ACRES-GUNTAS
Konasandra	55 - 13
Bommandhahalli	384 - 01
Kadujakkanahalli	837 - 35
Indlavadi	401 - 31
Bagganadoddi	259 - 13
TOTAL	1938 - 13

52. Initially, the interim orders were granted by the writ Court on 02.09.2015 in W.P.No.36164/2015

(W.A.No.437/2025) against dispossession, if not already dispossessed. On 16.10.2015, interim orders were granted in other writ petitions.

53. Thereafter, some of the landowners, who are the petitioners in W.P.Nos.43344-43350/2015 and other connected writ petitions, filed Original Application No.145/2016 before the NGT, Chennai contending that the entire land acquired through Final Notifications dated 12.03.2015 would fall within the ESZ and there was no environmental clearance obtained. The NGT had granted an interim order against the SEIAA directing not to pass any order on the application submitted in the year 2015-16 by the KHB for environmental clearance. The said original application came to be disposed of with liberty to the SEIAA to consider the application filed by the KHB in accordance with the law, on accepting the submission of the KHB that they would proceed with the construction work only upon obtaining all necessary clearances from the concerned authorities.

54. The land acquisition proceedings continued and the State Government, vide order dated 04.01.2020, extended the time period for passing of the award by issuing a notification. The

Government had evolved 50:50 land-sharing scheme in respect of Suryanagar 4th Phase project. The Government had given approval to such proposal for 50:50 land-sharing vide Notification dated 07.09.2020.

55. The MoEFCC, Government of India, in exercise of its powers conferred under Sections 3(1) and 3(2) of the Environment (Protection) Act, 1986 and the Rules framed thereunder, had issued the Notification dated 15.06.2016 in respect of the ESZ of Bannerghatta National Park. In terms of the said notification, an area measuring 268.96 Sq.Kms. with an extent varying from 100 Mts. to 4.5 Kms. around the boundary of Bannerghatta National Park covering a total of 77 villages, had been declared as the ESZ. However, vide subsequent Notification dated 30.10.2018, the MoEFCC had proposed to reduce the ESZ from 268.96 Sq.Kms. to 168.84 Sq.Kms. with the extent varying from 100 Mts. to 1 Km. around the boundary of the park.

56. I.A.No.138323/2025 came to be filed in W.P.(C) No.202/1995 before the Supreme Court by one K.B. Belliappa and others challenging the exclusion of scientifically identified

elephant corridors and other ecologically significant land parcels, which are integral to maintaining the habitat contiguity and landscape-level ecological linkages from the area notified as 'Bannerghatta National Park Eco-Sensitive Zone'. The Supreme Court, on 08.10.2025, passed the following order: -

***"XIV. [14] I. A. NOS. 138323 & 138324
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- 1. It would be appropriate that before these applications are considered, CEC examines the issue and submits its report.*
- 2. Six weeks' time is granted to the CEC to submit its report.*
- 3. Needless to state that the CEC would also give a hearing to the concerned parties.*
- 4. List after eight weeks."*

57. The CEC, in compliance of the order dated 08.10.2025, has submitted the detailed report dated 05.01.2026 before the Supreme Court. **In paragraph 50 of the report, the CEC has flagged serious concern of disastrous and irreversible consequences regarding the housing project viz., Suryanagar Layout (KHB Surya City), which is immediately abutting the revised ESZ boundary of Bannerghatta National Park. It has been stated that the**

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project, being of considerable magnitude, would result in irreversible modification of land contiguous to a protected forest, raising serious concern regarding absence of any scientific assessment, evaluation of cumulative environmental impacts etc. Paragraph 50 of the said report is extracted hereunder: -

*"50. It is also important to note that the State of Karnataka is undertaking a large-scale housing development, namely the Surya Nagar Layout (KHB Surya City), immediately abutting the revised Eco Sensitive Zone boundary of Bannerghatta National Park. The subject land earlier formed part of the Eco-Sensitive Zone, within which activities such as the development of housing layouts and large residential projects were expressly restricted. However, by virtue of the ESZ notification dated 30.10.2018, this area was excluded from the ESZ on the stated ground of urbanisation pressure. Subsequent to such exclusion, extensive environmental alteration has been undertaken, including large-scale land levelling, flattening of naturally elevated terrain, and destruction of existing topography to facilitate housing development. **The project, being of considerable magnitude, is likely to result in irreversible modification of land contiguous to a protected forest, raising serious concerns regarding the absence of any scientific assessment, evaluation of cumulative environmental impacts, and adherence to constitutional and environmental safeguards. It is also significant that the project site lies in***

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close proximity to the Karadikkal—Madeshwara wildlife corridor, and the Forest Department of Karnataka has already flagged the likelihood of increased human—wildlife conflict arising from this development. The CEC was informed during the site visit that several farmers have protested against this project and have even filed petitions before different courts of law challenging the acquisition of their agricultural lands."

58. In paragraph 52, it has been mentioned that Herandyapanahalli, Tippuru, Bijahalli, Bommasandra, Hosadurga, Salbanni and Guddeveeranahosahalli Villages are situated along elephant movement pathways connecting the Cauvery Wildlife Sanctuary and Bannerghatta National Park.

Paragraph 52 would read as under: -

"52. The rapid urban expansion around Bengaluru, agricultural intensification, infrastructure development, and degradation of traditional elephant corridors, particularly along the boundary of BNP, have disrupted natural movement patterns, forcing elephants into 55 human-dominated areas and intensifying human-elephant interactions. The final Eco-Sensitive Zone (ESZ) notification of Bannerghatta National Park indicates that the ESZ width has been delineated as 100 m in the villages of Herandyapanahalli (Sl. No. 61), Tippuru (Sl. No. 62), Bijahalli (Sl. No. 63), Bommasandra (Sl. No. 64), Hosadurga (Sl. No. 65), Salbanni (Sl. No.

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67), and Guddeveeranahosahalli (Sl. No. 68). These villages are situated along elephant movement pathways connecting the Cauvery Wildlife Sanctuary and Bannerghatta National Park."

59. The CEC has finally recommended that the reduction of the ESZ around Bannerghatta National Park from 268.96 Sq.Kms. to 168.84 Sq.Kms. in the Final Notification dated 11.03.2020 would have disastrous consequences resulting in exclusion of ecologically important patches, creation of contiguous unprotected land pockets and weakening of identified wildlife corridors, thereby undermining the fundamental objectives of the ESZ framework as set out in the 'Guidelines for Declaration of Eco-Sensitive Zones' dated 09.02.2011. 87. **As per the 2011 Guidelines, all areas which contain sensitive corridors, which in this case include the elephant corridors, must be included in the ESZ area, even if it is beyond the 10km limit. However, as per the Revised Notification dated 11.03.2020, only parts of the three identified elephant corridors fall within the reduced ESZ. Thus, some parts of the corridors are not accorded protection within the ESZ areas and not**

forming part of protected areas. It further stated that several ecologically important patches, despite their clear ecological significance and contiguity with the National park landscape, have been excluded from the Revised ESZ Notification dated 11.03.2020. These patches directly influence the habitat continuity, wildlife movement, and ecological stability of the Bannerghatta National Park. The CEC observed that such patches, which ought to form part of the Bannerghatta National Park ESZ, should not have been excluded from the protected zone, and require inclusion to ensure effective conservation and preservation of the ecological integrity of the ESZ. It has been further said that in absence of any cogent, scientific, ecological or rational justification for the reduction of the ESZ extent from 268.96 Kms. to 168.84 Sq.Kms., the said reduction is not justified and the original ESZ extent of 268.96 Sq.Kms. is to be restored. The final recommendations are in paragraph 60, which would read as under: -

"RECOMMENDATIONS

60. In light of the above analysis and observations, the CEC submits the following

recommendations for the kind consideration of this Hon'ble Court:

a) The Final ESZ Notification S.c. 1036(E) dated 11.03.2020, insofar as it excludes scientifically identified elephant corridors and ecologically important patches forming part of the Bannerghatta National Park landscape, warrants reconsideration and shall be withdrawn by MoEFCC, Government of India, forthwith.

b) The original ESZ extent of 268.96 sq. km, as proposed in the 2016 Draft Notification, shall be fully restored. Any deviation should be permitted only in strictly exceptional, site-specific circumstances, and only where dense, irreversible urban development already exists. Such modifications, if unavoidable, should be kept to a minimum, should not compromise ecological connectivity, wildlife corridors, or buffer functionality, and shall not result in the exclusion of ecologically significant patches or corridors essential to ecological integrity. Any proposed reduction shall require a detailed, written, and reasoned justification by the duly constituted Expert Committee, supported by scientific evidence, and shall not create precedent for future exclusions or dilution of ESZ protections.

c) The identified elephant corridors connecting Bannerghatta National Park with adjoining forest landscapes require continued protection and strengthening through regulatory and management measures. Further, the effectiveness of

the ESZ and its role in conservation and mitigation of human– wildlife conflict shall be periodically reviewed on the basis of updated scientific inputs and ground-level monitoring.

d) In view of the increasing incidence of Human Elephant Conflict in the southern, western, south-eastern and south western parts of Bannerghatta National Park, particularly in and around the villages of Herandyapanahalli, Tippuru, Bijahalli, Bommasandra, Hosadurga, Salbanni and Guddeveeranahosahalli—where the Eco-Sensitive Zone is presently delineated at 100 metres and which lie along elephant movement pathways between the Cauvery Wildlife Sanctuary and BNP, a review of the existing ESZ delineation, including buffer width, shall be considered to strengthen the forest habitation interface and support mitigation of Human Elephant Conflict.

e) The State Government shall also endeavour to convey a clear and strong message to the public and all stakeholders that the declaration and enforcement of Eco-Sensitive Zones are not intended to hamper the day-to-day activities or legitimate livelihoods of local communities, but are meant to protect the precious forests and Protected Areas in their vicinity from adverse and irreversible impacts, while also improving and refining the environmental quality around such Protected Areas. Effective public communication, stakeholder engagement, and awareness-building measures should therefore accompany

the process of ESZ modification and implementation.

f) The entire exercise to renotify the ESZ of Bannerghatta National Park as recommended in (b) above within the next six months.

g) Any other order that this Hon'ble Court may like to pass."

60. The State Government itself, in its objection before the writ Court, has taken a stand that the lands in Indalawadi, Konasandra and Bommandahalli Villages in which the lands of the landowners are situated, fall within the ESZ of Bannerghatta National Park. The Assistant Conservator of Forests, in his personal affidavit filed in the writ Court, has specifically stated that the lands of the landowners fall within the ESZ of Bannerghatta National Park and in view of the guidelines issued by the MoEFCC, prior environmental clearance from the Standing Committee of the National Board for Wildlife is mandatory. The KHB has not produced the same and has instead produced the Wildlife Mitigation Plan as provided by the Principal Chief Conservator of Forests (Wildlife and Chief Wildlife Warden), which was granted on payment of Rs. 1.5 crores. No such prior clearance from the Standing Committee of

the National Board for Wildlife has been taken by the KHB before undertaking such a project of huge magnitude.

61. In a Public Interest Litigation in W.P.No.47/2020 (PIL), vide interim order dated 16.01.2020, this Court specifically directed the KHB to ensure that no commercial or development activities are undertaken within 10 Kms. radius around the Bannerghatta National Park until finalisation of the Notification dated 15.06.2016. The said notification is still to be finalised inasmuch as the CEC has submitted its report for restoration of 268.96 Sq.Kms. area as the ESZ. The environmental clearance given by the SEIAA on 03.06.2023 to undertake the said housing project by the KHB is against the guidelines issued by the MoEFCC as no prior environmental clearance from the Standing Committee was obtained. Further, the entire project would fall within the ESZ of 268.96 Sq.Kms. around Bannerghatta National Park, and the issue of reducing the area of the ESZ to 168.84 Sq.Kms. is still at large before the Supreme Court. Unless the KHB were to obtain necessary environmental clearance for the project from the Standing

Committee of the National Board for Wildlife, the SEIAA should not have given the clearance.

62. We are, thus, of the opinion that when the CEC itself, in its report, has flagged serious concern for undertaking the housing project of such a magnitude and the report is yet to be accepted or rejected by the Supreme Court, undertaking the said housing project is against the relevant provisions of the Environment (Protection) Act, 1986, the statutory guidelines issued by the MoEFCC and also against public interest, as the effectiveness of the ESZ and its role in conservation and mitigation of human-wildlife conflict has not been taken into consideration before undertaking such a project. This project would seriously affect the Karadikkal-Madeshwara Corridor, and the Forest Department of Karnataka has already flagged the likelihood of increased human-wildlife conflict arising from this development. Ignoring all such concerns, the housing project has been undertaken.

63. Elephant corridors constitute critical ecological linkages and are indispensable to the long-term conservation of both elephants and the ecosystems upon which they depend. Such

corridors provide the necessary right of passage between fragmented habitats, facilitate seasonal and long-range movement, enable genetic exchange and reduce the ecological and demographic consequences of habitat isolation. Their protection is particularly significant where development pressures have rendered protected areas increasingly isolated and incapable, by themselves, of sustaining viable elephant populations. The conservation of these corridors therefore requires their identification, legal protection and integration into land-use and development planning, including where necessary, protection beyond the boundaries of existing Protected Areas. The protection of elephant corridors is thus not merely a species-specific conservation measure. It serves the broader objective of maintaining landscape connectivity, ecological resilience and the integrity of interconnected forest ecosystems. In this sense, safeguarding the movement of elephants contributes to safeguarding the ecological processes that sustain the landscape itself, and consequently has significance extending to the larger public interest in environmental conservation.

64. The importance of Elephant Corridors was elaborated by the Supreme Court in **HOSPITALITY ASSN. OF MUDUMALAI V. IN DEFENCE OF ENVIRONMENT & ANIMALS [(2020) 10 SCC 589]** as follows:

"33. Elephant corridors allow elephants to continue their nomadic mode of survival, despite shrinking forest cover, by facilitating travel between distinct forest habitats. Corridors are narrow and linear patches of forest which establish and facilitate connectivity across habitats. In the context of today's world, where habitat fragmentation has become increasingly common, these corridors play a crucial role in sustaining wildlife by reducing the impact of habitat isolations. In their absence, elephants would be unable to move freely, which would in turn affect many other animal species and the ecosystem balance of several wild habitats would be unalterably upset. It would also eventually lead to the local extinction of elephants, a species which is widely revered in our country and across the world. To secure wild elephants' future, it is essential that we ensure their uninterrupted movement between different forest habitats. For this, elephant corridors must be protected.

34. Legal intervention in preservation of these corridors has been necessitated because wildlife corridors are threatened by various social, economic and anthropogenic factors, as noted above. Commercial activities such as running of private resorts and construction of new buildings with barbed and electric fences within

elephant corridors pose a serious threat of fragmentation and destruction of habitats. The long-term survival of the species depends on maintaining viable habitats and connecting corridors which maintain variance in the species' gene pool and avoid other risks associated with habitat fragmentation and isolation of species."

65. It is true that the object of land acquisition should be for the greater purpose of public good. The lands may be acquired for various projects which are covered under the scope of 'public purpose.' However, in our view, no public purpose can supersede the object of environmental and ecological conservation. As important as it is to encourage development and urbanisation, the same must be done while balancing the interests of the environment and its species. The proposed Suryanagar Project aims to give affordable and well-planned housing plots to the allottees and the general public being the residents, but the same is done at the cost of displacing the wildlife and depriving them of their natural habitat. It is a settled and enduring sentiment that "there is no place like home." Yet, the actions of the Respondents, as borne out from the record, compel this Court to confront a disquieting question: whether the same fundamental principle of a secure

and undisturbed home is to be denied to wildlife. The elephants in question, for whom these corridors constitute not merely a passage but an essential part of their natural habitat and existence, cannot be treated as occupants without rights whose homes may be displaced at will.

66. Housing is not the only requirement for human existence. Ecology, wildlife, forest, water streams etc., all are equally important for human existence. We are, therefore, of the view that since the project in question itself falls within the Bannerghatta National Park Eco-Sensitive Zone of 268.96 Sq.Kms., the whole project is misconceived and would have irreversible ecological, environmental and wildlife related consequences. Therefore, the entire land acquisition proceedings are nothing but an exercise without undertaking the relevant considerations such as, scientific study of environment impact assessment, socio-ecological factors etc., as flagged by the CEC.

67. We, therefore, allow the appeals filed by the landowners and quash the impugned land acquisition proceedings. Consequently, the impugned order dated 13.01.2025 passed by the learned Single Judge is set aside. The appeals filed by the KHB stand dismissed.

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Pending Interlocutory Applications, if any, do not survive
for consideration and stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(H.SHANTHI BHUSHAN)
JUDGE**

BKV
CT: SN