HC-KAR
NC: 2026:KHC:61474
WP No. 34289 of 2026
CNR: KAHC010759102026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 34289 OF 2026 (LB-BMP)

BETWEEN:

1. T. HANUMAIAH
   S/O TAMAIAH,
   AGED ABOUT 59 YEARS

2. SMT. SHANTHA
   W/O T. HANUMAIAH
   AGED ABOUT 45 YEARS
   BOTH ARE R/AT NO.18, C MAIN ROAD,
   PIPELINE BASAPPA GARDEN,
   BANGALORE-03.

...PETITIONERS

(BY SRI. SRINIVAS V.,ADVOCATE)

Digitally signed by VANAMALA N
Location: HIGH COURT OF KARNATAKA

AND:

1. THE COMMISSIONER
   CENTRAL BANGALORE CITY
   CORPORATION 10TH FLOOR,
   MULTIPURPOSE P.U. BUILDING,
   MAHATMA GANDHI ROAD,
   BENGALURU -560 001.

2. THE ASSISTANT EXECUTIVE ENGINEER
   CENTRAL BANGALORE CITY
   CORPORATION ZONE-2

GANDHINAGARA SUB-DIVISION
1ST FLOOR, BASHYAM PARK,
OPPOSITE MANTRI MALL,
GBA, BANGALORE -560 020.

...RESPONDENTS

(BY SRI.PAWAN KUMAR., ADVOCATE FOR
SRO. H. DEVENDRAPPA., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTICE DATED 02-11-2026 BEARING NO. ಸಂಖ್ಯೆ. ಸ.ಕಾ.ನಿ.ಅ/ಗಾನ/ಪಿಆರ್/556/2026–27 ISSUED BY THE 1ST RESPONDENT VIDE ANNEXURE K.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The short question presented for consideration in this petition is whether there should be demolition of the construction by the petitioners identified as being in deviation from the Sanctioned Plan when the petitioners' appeal against a decision in this regard and an application therein for interim stay are

pending consideration. The petitioners have presented this question impugning the notice issued by the first respondent on 02.11.2026 [Annexure-K] referring to the Confirmation Order.

Sri. V. Srinivas, the learned counsel for the petitioners, and Sri. Pawan Kumar, a learned standing counsel for the respondents who accepts notice, are heard for the disposal of the petition. Sri.V.Srinivas submits that the petitioners have preferred an appeal against the Confirmation Order dated 22.05.2026 under Section 243(3)(e) and 244(1) of the Greater Bengaluru Governance Act, 2024 [for short, *'the GBG Act'*] with the appellate authority in Appeal No.136/2026 under Section 250 thereof along with an application for stay.

On the first date of hearing the Appellate Authority has only issued notice calling for records, but with the issuance of the impugned notice dated 02.11.2026 the petitioners have filed an application

for advancement. The Appellate Authority has favoured the application listing the petition on 13.11.2026. The petitioners' apprehension is that there would be precipitative action if there is no protection until 13.11.2026. In support of the request for an order protecting the petitioners' interest until then, Sri.V.Srinivas submits that the building is complete and the impugned notice dated 02.11.2026 is to the occupants to vacate the premises in the construction to facilitate demolition and that the deviations alleged are only in the setback which can be considered for regularization in terms of the Notification dated 05.01.2026 and even the later notifications.

In consideration of these submissions, this Court finds that the precipitation under the impugned notice must be put off until 13.11.2026, and hence, the petition stands disposed of directing the respondents to defer all action until 13.11.2026

and proceed further subject to the orders by the Appellate Authority in the pending appeal on such day.

Sd/-
(B M SHYAM PRASAD)
JUDGE

SA
Ct:sr