



CNR: KAHC010618392026

NC: 2026:KHC:47917
WP No. 27979 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 27979 OF 2026 (LB-BMP)

BETWEEN:

SUMAN V
WIFE OF MADHU F,
AGED ABOUT 34 YEARS,
304, 3RD CROSS, VHBC LAYOUT,
BEHIND NAYARA PETROL BUNK,
RAJA RAJESHWARI NAGAR,
BENGALURU-560 098

...PETITIONER

(BY SRI. VENKATARAVANAPAPA M.,ADVOCATE)



AND:

1. THE COMMISSIONER
GREATER BENGALURU AUTHORITY,
(GBA IN SHORT) N.R. SQUARE,
BENGALURU-560 002.
2. THE JOINT COMMISSIONER,
WEST ZONE,
GREATER BENGALURU AUTHORITY,
(GBA IN SHORT) SAMPIGE ROAD,



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MALLESWARAM,
BENGALURU-560 003.

3. THE EXECUTIVE ENGINEER,
RAJAJINAGAR DIVISION,
GREATER BENGALURU AUTHORITY,
(GBA IN SHORT)
RAJAJINAGAR, BENGALURU-560 010.
4. THE ASSISTANT EXECUTIVE ENGINEER,
SRIRAMAMANDIRA SUB-DIVISION,
GREATER BENGALURU AUTHORITY
(GBA IN SHORT)
RAJAJINAGAR,
BENGALURU-560 010.

...RESPONDENTS

(BY SRI.PAWAN KUMAR., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO
A) QUASHING THE IMPUGNED CONFIRMATION ORDER
PASSED BY THE RESPONDENT NO.2, DATED 16-07-
2026 VIDE ಸಂಖ್ಯೆ: ಜಂ.ಆ/ಮ.ವ/ಬೆಂ.ಪ.ನ.ಪಾ/ಪಿಆರ್/ 16/2026-27
DATED 16.07.2026 WHICH IS HEREBY PRODUECED AS
ANNEXURE-A. B) QUASHING THE IMPUGNED
PROVISIONAL ORDER PASSED BY THE RESPONDENT
NO.2, DATED 23-12-2025 VIDE ಸಂಖ್ಯೆ:



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ಜಂ.ಆ/ಮ.ವ/ಬಿಂ.ಪ.ನ.ಪಾ/ಪಿಆರ್/ 16/2026-27 DATED 23-12-

2025, WHICH IS HEREBY PRODUCED AS ANNEXURE-B.

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 petitioner asserts ownership of the property bearing No.229/A, 55th Cross, 3rd Block, Rajajinagar, Bengaluru – 560 010 [*the subject property*], and the petitioner's grievance is with the confirmation of the Provisional Order under Section 243 of the Greater Bengaluru Governance Act, 2024 [for short, '*the Act*']. The proceedings are begun observing *inter alia* that the petitioner, who is admitted a *Sanctioned Plan/Building License* for two floors [Ground + one Upper Floor] has constructed two additional upper floors and the construction is for commercial



purposes and not for residential purposes as sanctioned.

2. Sri M Venkataravanappa, the learned counsel for the petitioner, contesting these observations, submits that the proceedings are concluded without notice of inspection to the petitioner. Sri Pawan Kumar, a learned standing counsel for the respondents who is called upon to accept notice for the respondents, is heard. The learned standing counsel rightly points out that the petitioner has an appellate remedy under Section 250 of the Act and that every aspect, including whether there was an inspection of the property with Notice to the petitioner, can be examined by the Appellate Authority.

3. In the circumstances, this Court is not inclined to intervene, and this Court is only inclined to dispose of the petition without prejudice to the



petitioner to avail the statutory appellate remedy. At this stage, Sri M Venkataravanappa makes a request for staying the proposed action for demolition of the subject property for a reasonable time so that the petitioner can avail statutory appellate remedy and Sri Pawan Kumar is heard even on this aspect.

4. The impugned Confirmation Order is dated 16.07.2026, and this Court is of the view that there cannot be an automatic direction to the Authorities to desist from being precipitous only because the petition is being disposed of with liberty to avail statutory appellate remedy given the myriad consequences that could be. As such, if there is to be any direction to the Authorities to hold their hands and not be precipitous for any time within which the petitioner can avail the statutory appellate remedy, the petitioner must be put on terms. In the light of the afore, the following:



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ORDER

[A] The petition stands disposed of without prejudice to the petitioner to avail statutory appellate remedy under Section 250 of the Act, observing that all questions are left open for due consideration in such proceedings, if instituted.

[B] The Authorities are directed not to take any precipitous action for six [6] weeks from today observing that the Appellate Authority, in the event the petitioner avails statutory appellate remedy and makes a request for interim order, shall consider such request on merits independent of the directions against precipitation by this Court.

[C] The petitioner to be entitled to the interim protection that is now extended



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shall deposit a sum of Rs.50,000/- as cost with the Commissioner of Bengaluru West City Corporation, Bengaluru and shall file a certified copy of this Order for those purposes with the office of the Commissioner.

[D] The office is directed to return the certified copies/originals and other documents subject to Sri Venkataravanappa M producing photocopies thereof.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-