

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JUNE 2021

PRESENT

THE HON'BLE MR. JUSTICE ALOK ARADHE

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A. NO.233 OF 2017 (LA-BDA)
IN
W.P. NO.58912 OF 2014 (LA-BDA)

BETWEEN:

1. BANGALORE DEVELOPMENT AUTHORITY
BY ITS COMMISSIONER
KUMARA PARK WEST
T. CHOWDAIAH ROAD
BANGALORE-560 020.
2. THE ADDITIONAL LAND
ACQUISITION OFFICER
BANGALORE DEVELOPMENT AUTHORITY
KUMARA PARK WEST
T. CHOWDAIAH ROAD
BANGALORE-560 020.

APPELLANTS 1 & 2 ARE BEING THE
DIFFERENT SECTION OF THE SAME AUTHORITY.
HENCE BOTH ARE REPRESENTED
BY ITS SPECIAL ADDITIONAL
LAND ACQUISITION OFFICER.

... APPELLANTS

(BY MR. BIPIN HEGDE, ADV.,)

AND:

1. SRI. K.K. POONACHA
S/O KUSHALAPPA
AGED ABOUT 78 YEARS
OLYMPIC FARM
NAGADEVANAHALLI VILLAGE
Kengeri Hobli
Jnanabharathi Post
Bangalore-560 056.
2. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
M.S. BUILDING
DR. B.R. AMBEDKAR VEEDHI
Bangalore-560001
BY ITS SECRETARY.

... RESPONDENTS

(BY MR. D.C. DEEPAK, ADV., FOR R1
MR. JEEVAN J. NEERALGI, AGA FOR R2)

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THIS W.A. IS FILED UNDER SECTION 4 OF THE KARNATAKA
HIGH COURT ACT, PRAYING TO SET ASIDE THE ORDER PASSED IN
THE WRIT PETITION 58912/2014 DATED 17.03.2016.

THIS W.A. COMING ON FOR ORDERS, THIS DAY,
ALOK ARADHE J., DELIVERED THE FOLLOWING:

JUDGMENT

For the reasons assigned by us in the judgment passed today in W.A.No.3487/2016, the impugned judgment passed in W.P.No.58912/2014 cannot be sustained in the eye of law. It is accordingly set aside.

In the result, the writ appeal is allowed.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

SS