HC-KAR
CNR: KAHC010782282026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 35210 OF 2026 (LB-BMP)

C/W

WRIT PETITION NO. 35234 OF 2026 (LB-BMP)

IN WP No. 35210/2026

BETWEEN:

SRI. VINITH KUMAR. G. K.
S/O SRI. GOVINDARAJAN
AGED ABOUT 29 YEARS
R/AT NO.11, SHAKTHINAGAR,
DOORWANINAGAR,
BEHIND ROYAL HERITAGE
APARTMENT,
BENGALURU-560 016

Digitally signed by VANAMALA N
Location: HIGH COURT OF KARNATAKA

...PETITIONER

(BY SRI. MALLIKARJUN N K., ADVOCATE)

AND:

1. CHIEF COMMISSIONER
   GREATER BENGALURU AUTHORITY (GBA)
   N R SQUARE, HUDSUN CIRCLE

BENGALURU 560 001

2. COMMISSIONER
BENGALURU EAST CITY CORPORATION /
GREATER BENGALURU AUTHORITY,
COMMISSIONER OFFICE,
OPP. PHOENIX MALL,
RHB COLONY, MAHADEVAPURA,
BENGALURU, KARNATAKA 560 048

3. THE JOINT COMMISSIONER
BENGALURU EAST CITY CORPORATION /
K.R. PURA ZONE-2,
GREATER BENGALURU AUTHORITY (GBA),
K.R. PURA,
BENGALURU - 560 036

4. THE ASSISTANT EXECUTIVE ENGINEER
MAHADEVAPURA SUB-DIVISION,
M.I.G. LAYOUT,
BENGALURU EAST CITY CORPORATION,
GREATER BENGALURU AUTHORITY (GBA),
BENGALURU - 560 016

...RESPONDENTS

(BY SRI. PAWAN KUMAR, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS NO TO TAKE ANY COERCIVE STEPS AGAINST THE PETITIONERS ON THE SCHEDULE PROPERTY TILL CONCLUSION OF

APPEAL NO. 154/2026 BEFORE THE R1 CHIEF COMMISSIONER GBA VIDE ANNX-J.

IN WP NO. 35234/2026

BETWEEN:

1. SRI. SANJEEV. A. KURUP
   S/O LATE ATCHUTHA KURUP
   AGED ABOUT 71 YEARS

2. SMT. LATA PILLAI @
   LATA R. PILLAI
   W/O SANJEEV A KURUP
   AGED ABOUT 67 YEARS

   BOTH ARE RESIDING PROPERTY
   NO. 08, NEAR VINAYAKA TEMPLE,
   UDAYANAGAR,
   DOORAVANI NAGAR
   BENGALURU-560 016

...PETITIONERS

(BY SRI. MALLIKARJUN N K., ADVOCATE)

AND:

1. CHIEF COMMISSIONER
   CHIEF COMMISSIONER,
   GREATER BENGALURU AUTHORITY (GBA)
   N R SQUARE, HUDSUN CIRCLE
   BENGALURU 560 001

2. COMMISSIONER,
   BENGALURU EAST CITY CORPORATION,
   COMMISSIONER OFFICE, OPP PHOENIX MALL

RHB COLONY, MAHADEVAPURA,
BENGALURU, KARNATAKA 560 048

3. THE JOINT COMMISSIONER
BENGALURU EAST CITY CORPORATION /
K.R. PURA ZONE-2,
GREATER BENGALURU AUTHORITY (GBA),
K.R. PURA, BENGALURU - 560 036.

4. THE ASSISTANT EXECUTIVE ENGINEER
MAHADEVAPURA SUB-DIVISION,
M.I.G LAYOUT
BENGALURU EAST CITY CORPORATION,
GREATER BENGALURU AUTHORITY (GBA),
BENGALURU 560 016

...RESPONDENTS

(BY SRI. PAWAN KUMAR, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS NO TO TAKE ANY COERCIVE STEPS AGAINST THE PETITIONERS ON THE SCHEDULE PROPERTY TILL CONCLUSION OF APPEAL NO. 153/2026 BEFORE THE R1 CHIEF COMMISSIONER GBA VIDE ANNX-L.

THESE PETITIONS, 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 petitioners are owners of different properties, but their cause to invoke this Court's jurisdiction under Article 226 of the Constitution of India is identical. The petitioners are served with the respective Confirmation Order under Section 243[3][e] and 244 of the Greater Bengaluru Governance Act, 2024 [for short, *'the GBG Act'*], and they filed their appeals under Section 250 of the GBG Act against these Confirmation Orders. The Appellate Authority has not considered the petitioners' request for interim order staying precipitative action during the pendency of the appeal/s.

2. The proceedings under Section 243[3] of the GBG Act are initiated against the petitioners on the ground that they have begun/completed construction without a sanctioned plan. The petitioners do not assert that they have a sanctioned plan, but they contend that after the proceedings

are initiated under Section 243[3] of the GBG Act, the Authorities have issued them with revenue entries for the respective properties in Form No. A; initially they had revenue entries in Form No. B; and that they being admitted to revenue entries in Form No. A, are entitled to apply for the sanction plan and they have accordingly applied.

3. Mr. Mallikarjun N K, the learned counsel for the petitioners, relying upon these circumstances, submits that the petitioners are constrained to file these petitions for direction to the Appellate Authority who is seized of the corresponding appeals to direct the respondents not to take coercive measures because the Appellate Authority has called for records without considering the request for interim order and there would be precipitation if there is no interim order by this Court notwithstanding the circumstances as stated above.

4. Mr. Pawan Kumar, the learned Standing counsel for the common respondents, is heard on the terms for the disposal of the petitions, especially with Mr. Mallikarjun N K stating, when queried by this Court, that the petitioner in W.P.No.35210/2026 has stopped construction over the last one year because of the proceedings and that the petitioners in W.P.No.35234/2026 have *bonafide* completed residential accommodation comprising of ground and first floors and that neither of these petitioners propose to change the nature of the construction until there is a final outcome in the pending appeals.

5. This Court is of the view that in the circumstances, the petitions must be preferred directing the respondents not to take coercive measures to dismantle/demolish the standing structures in the petitioners' respective properties during the pendency of the respective appeals

observing that any coercive measure shall be subject to the final outcome in the pending appeals while stipulating specifically that the petitioners shall not change the nature of the properties by recommencing the construction or otherwise.

It is ordered accordingly and the petitions stand ***disposed of***.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RB
List No.: 3 Sl No.: 1