



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 11TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

CIVIL CONTEMPT PETITION NO.100189 OF 2025

BETWEEN:

HAFIZ MUKTUMSAB BALAGANUR,
AGE. 67 YEARS, OCC. BUSINESS,
R/O. SECTOR NO.36, NANDA GALLI,
NAVANAGAR, BAGALKOTE,
DIST. BAGALKOTE-587103.

...COMPLAINANT

(BY MISS. GAYATRI S.R., ADVOCATE)

AND:

1. D. BASAVARAJ,
THE CHIEF ENGINEER,
BAGALKOT TOWN DEVELOPMENT
AUTHORITY, BAGALKOT-587103.

2. NAVEEN PRASAD KATTIMANI,
THE REHABILITATION OFFICER,
BAGALKOT TOWN DEVELOPMENT
AUTHORITY, BAGALKOT-587103.

...ACCUSED

3. THE STATE OF KARNATAKA,
R/BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001.

...PROFORMA RESPONDENT

(BY SRI. SANJAY CHANNAL, ADVOCATE FOR A1-A2
SRI. SHARAD V. MAGADUM, AGA FOR PROFORMA RESPONDENT)



THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, R/W. ARTICLE 215 OF CONSTITUTION OF INDIA,1950, PRAYING TO PUNISH THE ACCUSED FOR DISOBEYING THE ORDER DATED 14.08.2024 PASSED BY THIS HON'BLE COURT IN W.P. NO.100350/2024 WHICH IS PRODUCED AT ANNEXURE-A IN THE INTEREST OF JUSTICE AND EQUITY.

THIS CCC COMING ON FOR HEARING BEFORE CHARGES, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

This contempt petition is filed under Article 215 of the Constitution of India read with Sections 11 and 12 of the Contempt of Courts Act, 1971, complaining disobedience of the order dated 14.08.2024 passed in W.P. No.100350/2024.

2. In the aforesaid writ petition, along with connected W.P. No.102484/2024, the learned Single Judge passed the following order:

- "i. Writ Petition No.100350/2024 is allowed. Endorsement dated 22.12.2023 issued by respondent No.2 vide Annexure-M is quashed.*
- ii. Writ Petition No.102484/2024 is allowed. The resolution No.133 dated 02.03.2019 insofar as*



allotment of B category site to the petitioner and the Hakkupatra issued on 15.10.2020, produced at Annexures C and E, are quashed.

iii. Consequently respondent No.2 in both the petitions is directed to consider the representation of the petitioners in terms of Rule 4(1) and (2) of the Bagalkot Town Development Authority (Allotment of Sites), Rules, 1993 and pass suitable orders in view of additional documents placed before this Court."

3. Heard Ms. Gayatri S.R., learned counsel for the complainant, Sri Sanjay Channal, learned counsel for accused Nos.1 and 2, and Sri. Sharad V.Magadum, learned Additional Government Advocate for pro-forma respondent. Perused the entire contempt petition papers.

4. Learned counsel for the complainant would submit that accused No.2 was required to consider the representation of the petitioner in terms of Rule 4(1) and (2) of the Bagalkot Town Development Authority (Allotment of Sites) Rules, 1993 (for short, 'the Rules'). She invites attention of this Court to Rule 4(2) of the Rules and submits that the family of the displaced persons would be entitled for a site measuring 72



sq. mtrs. and such family would be entitled to a site of more dimension on payment of differential amount. She submits that earlier the complainant was allotted 'B' Category site, which was subject matter of the aforesaid writ petition, and the same was quashed and accused No.2-authority was directed to pass orders, as per the directions of this Court extracted above. Learned counsel would submit that accused No.2, at present, has allotted 'C' Category site whereas the request of the complainant was for allotment of 'E' Category site.

5. The affidavit of accused No.2 would indicate that available sites are less than the required sites, and as such, 'C' Category sites are allotted.

6. On hearing the learned counsel for the parties and on perusal of the entire contempt petition papers, we are of the considered view that there is substantial compliance of the order passed by the learned Single Judge, as the accused No.2 has passed a resolution and allotted 'C' Category site. The direction issued was only to consider the representation of the



petitioners in terms of Rule 4(1) and (2) of the Rules, 1993, and accused No.2 has considered the representation of the complainant in terms of the above Rules and allotted 'C' Category site. If the complainant is not satisfied with the allotment of 'C' Category site and still wants to persist for allotment of 'E' Category Site, the complainant may agitate the same separately.

With the above observation, the contempt proceedings stand dropped.

Pending I.As., if any, stand disposed of as not surviving for consideration.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**

KMS, CT:
LIST NO.: 1 SL NO.: 52