



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 26TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

WRIT APPEAL NO. 100604 OF 2023 (KLR-CON)

BETWEEN:

1. SRI. B.S. RAVIPRAKASH SINGH
S/O. LATE SUBBARAJ SINGH,
AGED ABOUT 60 YEARS,
R/O. NO.175/B-1, 16TH WARD,
BASVESHWARA EXTENSION, HOSAPETE-583201,
VIJAYANAGAR DISTRICT.
2. SRI. B.S. ASHOK SINGH
S/O. LATE SUBBARAJ SINGH,
AGED ABOUT 58 YEARS,
R/O. NO.175/B-1, 16TH WARD,
BASVESHWARA EXTENSION,
HOSAPETE-583201, VIJAYANAGAR DISTRICT.

...APPELLANTS

(BY SRI. H.R. GUNDAPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF REVENUE,
M.S. BUILDING, AMBEDKAR VEEDHI,
BENGALURU-560001.
R/BY ITS PRINCIPAL SECRETARY.
2. THE DEPUTY COMMISSIONER,
BALLARI DISTRICT,
D.C. COMPOUND, BALLARI-583101.



3. THE ASSISTANT COMMISSIONER,
HOSAPETE SUB-DIVISION,
HOSAPETE, TQ. HOSAPETE,
DIST. BALLARI-583201.
4. THE TAHSILDAR, HOSAPETE
TQ. HOSAPETE-583201.
5. INDIA SUGARS AND REFINERIES LIMITED,
HAVING ITS REGISTERED OFFICE
AT CHITTAWADGI-583211
TQ. HOSAPETE, DISTRICT BALLARI.
R/BY ITS MANAGER-GODOWNS,
MR. SHARNAPPA ANKAD.

...RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA FOR R1-R4;
SRI. SHIVARAJ S. BALLOLI, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SEC.4 OF KARNATAKA
HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE
IMPUGNED ORDER PASSED BY THE HON'BLE SINGLE JUDGE IN
W.P.NO.102026/2021 (KLR-CON) DATED 20/04/2022 IN THE
ENDS OF JUSTICE AND EQUITY.

THIS WRIT APPEAL COMING ON FOR PRELIMINARY
HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS
UNDER:

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



ORAL JUDGMENT

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

This appeal by non-parties to the writ petition, is filed under Section 4 of the Karnataka High Court Act, 1961, questioning the order dated 20.04.2022 passed in WP No.102026/2021, wherein the learned Single Judge allowed the writ petition filed by respondent No.5, directing the Deputy Commissioner, Ballari to issue an order granting permission to the petitioner for use of the land for non-agricultural purposes after collecting the necessary conversion fee and on completion of other formalities.

2. Heard the learned counsel Sri.H.R. Gundappa for the appellants; learned counsel Sri. Shivaraj S Balloli for respondent No.5 and learned AGA Sri. Sharad V Magadum for respondents No.1 to 4. Perused the entire writ appeal papers.

3. Learned counsel Sri. H.R. Gundappa for the appellants would submit that the appellants are the owners of land in Sy.No.275/F1 and F3. It is the apprehension of



the appellants that respondent No.5 has no approach road and therefore, it may form road in the land of the appellants. Therefore, learned counsel Sri. H.R. Gundappa would submit that the appellants are opposing the conversion of land of respondent No.5.

4. Along with appeal, the appellants have filed IA No.2/2023 seeking permission to prosecute the appeal and also IA No.1/2023 to condone the delay of 50 days in filing the appeal.

5. Be that as it may. The appellants have no locus to challenge the order of learned Single Judge, whereunder the conversion of 5th respondent's land is directed to be granted. On mere apprehension that on conversion of 5th respondent's land, 5th respondent may form road in the appellants' land, the appellants cannot oppose the conversion. The appellants have civil remedy to protect their right by approaching the Civil Court, if respondent No.5 attempts to form road in the appellants' land.



6. Moreover, learned counsel Sri. Shivaraj S Balloli for respondent No.5 would submit that OS No.30/2020 between the appellants and respondent No.5 is pending consideration before the learned Prl. Civil Judge and JMFC, Hosapete. In that view of the matter, the writ appeal stands ***rejected***. In view of rejection of the appeal, the question of considering the IAs would not arise and accordingly, they are disposed of.

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

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

JTR
CT:VP
LIST NO.: 1 SL NO.: 23