



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 777 OF 2026 (LA-KIADB)

BETWEEN:

1. SRI. JOHN NEIL VIANNEY
S/O J N PUSHPARAJ.
AGED ABOUT 46 YEARS,
RESIDING AT: KONAGHATTA VILLAGE,
KASABA HOBLI,
DODDABALLAPURA TALUK,
BANGALORE RURAL DISTRICT - 562 163
2. SRI.P.PRUTHVIRAJ.
S/O J N PUSHPARAJ.
AGED ABOUT 53 YEARS,
RESIDING AT: KONAGHATTA VILLAGE,
KASABA HOBLI,
DODDABALLAPURA TALUK,
BANGALORE RURAL DISTRICT-562 163

... PETITIONERS

(BY SRI. PRAVEEN HEGDE., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF INDUSTRY AND COMMERCE.
VIDHANA SOUDHA,
DR.AMBEDKAR ROAD,
BANGALORE - 560 001.
DULY REPRESENTED BY ITS CHIEF SECRETARY.



2. THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
BANGALORE RURAL,
NO- 14/3, CFC BUILDING
MAHARSHI ARAVANDA BHAVANA,
NRUPATHUNGA ROAD,
BANGALORE - 560 001.
REPRESENTED BY ITS MANAGING DIRECTOR.
3. THE SPECIAL LAND ACQUISITION OFFICER/
OFFICER - 2.
THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD.
BANGALORE RURAL.
NO- 14/3, CFC BUILDING
MAHARSHI ARAVANDA BHAVANA,
NRUPATHUNGA ROAD,
BANGALORE - 560 001.

... RESPONDENTS

(BY SRI. HARISH A.S., AGA FOR R1;
SRI B.B. PATIL, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS ON THE FILE OF THE RESPONDENTS PERTAINING TO PROPERTIES IN SURVEY NOS 111/2, 111/3 AND 102/7, IN ALL MEASURING ABOUT 7 ACRES AND 8 GUNTAS OF REVENUE / AGRICULTURAL LANDS AS SITUATED AT KONAGHATTA VILLAGE, KASABA HOBLI, DODDABALLAPURA TALUK, BANGALORE RURAL DISTRICT AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV



ORAL ORDER

The present petition has been filed by the petitioners seeking for directions to the respondents to consider the representation of the petitioners vide Annexure-E1 to E3 dated 06.05.2022 and dispose of the same in accordance with law. The petitioners have sought for certain allied reliefs as well.

2. During hearing of the petition, petitioners submit that the respondent authorities are obliged to pass award in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 whereas, the present award is under the Land Acquisition Act, 1894.

3. Learned counsel appearing for respondent-KIADB would draw attention to the averments in para 4 of the statement of objections filed on 12.03.2026 and submits that they would pass award under the provisions of the



Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. Learned counsel for petitioners submit that the said stand of the authority requires to be taken note of and the court may pass appropriate directions in that regard.

5. Heard both sides.

6. The averments in para 4 of the statement of objections filed on 12.03.2026 reads as follows:

"4. It is most respectfully submitted that the respondents herein have, in accordance with law, issued an award and deposited in the civil court in a manner known to law. However, without prejudice to the aforementioned contention, the answering respondent is facing severe difficulty in having peaceful possession of the lands under acquisition. It is most respectfully submitted that subject to the petitioner herein not interfering with the possession of the entire scheduled property the answering respondent here undertakes to pass award under the new land acquisition act, i.e., Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and resettlement Act, 2013. At the cost of repetition and reiteration, it is once again stated that subject to petitioner not interfering with the possession of the entire scheduled property, the answering respondent herein undertakes to pass an



award under the new land acquisition act, 2013. In view of the aforementioned, the writ petition, having spent force, maybe disposed of on the above premises. All other contending issues may kindly be kept open in the interest of justice and equity.

WHEREFORE it is most respectfully prayed that this Hon'ble Court may be pleased to dispose of the petition in the interest of justice and equity."

7. In light of undisputed stand of the respondent authorities that they would replace the award passed under the Land Acquisition Act, 1894 with the award under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the petition requires to be disposed of taking note of such stand.

8. Learned Counsel for respondent-KIADB submits that the award would be passed within a period of six weeks from the date of receipt of certified copy of the order. The said submission is taken note of.

9. Respondent no.3 is directed to pass the award under the provisions of the Right to Fair Compensation



and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

10. Insofar as the possession is concerned, learned counsel for respondents would assert that respondents have taken possession, mahazar is drawn, while the learned counsel for petitioners would contend otherwise. The said aspect is not adjudicated as it involves disputed question of facts.

11. Accordingly, the petition is disposed of recording the undertaking of the respondents. All contentions are kept open.

**Sd/-
(S SUNIL DUTT YADAV)
JUDGE**

NP
List No.: 2 Sl No.: 5