



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S. INDIRESH

WRIT PETITION NO.2426 OF 2025 (LR)

BETWEEN:

1. SMT. SHAHIZUNNISA
W/O ABDUL JABBAR,
D/O M. ABDUL KHADER,
AGED ABOUT 59 YEARS,
R/AT NO.16, 7TH MAIN,
NEXT TO FALCON ELECTRICALS,
VASANTH NAGAR,
BENGALURU - 560 001.
2. SMT. NAGEENA JAN
W/O ABID AMIN LONE,
D/O M. ABDUL KHADER,
AGED ABOUT 53 YEARS,
R/AT NO.D-21, 2ND FLOOR,
KUTTI AMMA KUTIRA, NO.52,
10TH CROSS, R.B.I COLONY,
ANANDNAGAR,
BENGALURU - 560 024.

...PETITIONERS

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. MUSHTAQ AHMED, ADVOCATE)

AND:

1. ASSISTANT REGISTRAR
KARNATAKA APPELLATE TRIBUNAL,
BENGALURU - 560 001.
2. DEPUTY COMMISSIONER
OFFICE OF THE LAND TRIBUNAL,
KOLAR TALUK - 563 101.



3. NISAR AHMED
S/O LATE ABDUL GAFFAR SAB,
AGED ABOUT 67 YEARS,
R/AT NO.130, CMC LAYOUT,
2ND DIVISION, 4TH WARD,
GANGADHARAPUR,
DODDABALLAPURA TOWN,
BENGALURU RURAL DISTRICT - 561 203.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 AND R2;
SRI. PRAVEEN DANAGERI, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO SET-ASIDE THE ORDER DATED 27TH APRIL, 2018 PASSED BY THE KARNATAKA APPELLATE TRIBUNAL AT BENGALURU IN (REVENUE) APPEAL NO.44/2016 VIDE ANNEXURE-C AND ORDER DATED 13TH SEPTEMBER, 2024 PASSED BY THE RESPONDENT NO.2 IN CASE NO.LRF.KLR.18/98-99 VIDE ANNEXURE-D; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S. INDIRESH

ORAL ORDER

In this petition, the petitioner is challenging the order dated 27th April, 2018 (Annexure-C) passed by the Karnataka Appellate Tribunal, Bengaluru in (Revenue) Appeal No.44/2006, wherein the matter came to remanded to the respondent No.2 to decide afresh; and order dated 13th September, 2024 (Annexure-D) passed by the respondent No.2 in Case No.LRF.KLR.18/98-99.



2. Heard Sri. Mushtaq Ahmed, learned counsel appearing for the petitioner; Smt. B.P. Radha, learned Additional Government Advocate appearing for respondents 1 and 2; and Sri. Praveen Danageri, learned counsel appearing for the respondent No.3.

3. Having heard the learned counsel appearing for the parties and on perusal of the finding recorded by the Karnataka Appellate Tribunal in the impugned order, the same would indicate that, whether the respondent No.3 therein *viz.*, Khamrunnissa or her husband possessed the disputed land as tenant, is required to reconsidered by the respondent No.2-Land Tribunal. In that view of the matter, I do not find any material to interfere with the impugned order passed by the Karnataka Appellate Tribunal. Therefore, it is open for the respondent No.2-Land Tribunal to take decision in the matter afresh, after affording an opportunity of hearing to the parties concerned in view of the fact that the mother of the petitioners *viz.*, Khamarunnisa died on 14th June, 2024 and notice was published in the Kannada Prabha Daily Newspaper on 25th June, 2024 and the respondent No.2-Land Tribunal passed order on



13th September, 2024 (Annexure-D) in the absence of legal representatives of Khamarunnisa. Accordingly, the matter is remanded the respondent No.2-Land Tribunal to reconsider the issue afresh and pass appropriate orders, after affording an opportunity of hearing to he petitioners. with this observation, writ petition stands **disposed of**.

**SD/-
(E.S.INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 17