



CNR: KAHC010116332015

NC: 2026:KHC:50754
WP No. 26684 of 2015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO. 26684 OF 2015 (KLR-LG)

BETWEEN:

1. L.R. ASSOCIATES
OFFICE AT NO.13
PRASANNA CIRCLE
MAGADI ROAD, NEAR PRASANNA THEATRE
BANGALORE - 560 003
REPRESENTED BY ITS PROPRIETOR
LINGA RAJ, SON OF LINGAIAH.

...PETITIONER

(BY SRI VIKRAM HUILGOL, SENIOR COUNSEL FOR
SRI RAVISHANKAR R H,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF REVENUE
M S BUILDING, DR B R AMBEDAR VEEDHI
BANGALORE - 560 001.
2. THE DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT
K G ROAD, BANGALORE - 560 009.

...RESPONDENTS

(BY SRI MOHAMMED JAFFAR SHAH, AGA

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



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DTD 21.06.2010 ISSUED BY R-2 VIDE ANNEXURE-Q AS THE SAME IS ARBITRARY, ILLEGAL AND WITHOUT AUTHORITY OF LAW AND ETC.,.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN `B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

In this writ petition, petitioner has assailed the order dated 21.06.2010 (Annexure-Q) passed by the respondent No.2 inter - alia sought for direction to the respondents to receive 75% of the bid amount and to issue sale certificate in favour of the petitioner in respect of the subject land.

2. Heard Sri Vikram Huilgol, learned Senior Counsel appearing on behalf of Sri Ravishankar R H, learned counsel appearing for the petitioner and the learned Additional Government Advocate appearing for the respondents.

3. Sri Vikram Huilgol , learned Senior Counsel appearing for the petitioner, submitted, by reference to



the impugned order dated 21.06.2010 (Annexure-Q) that, the petitioner has participated in the auction and has paid 25% of the bid amount. The respondent - Authorities ought to have put the fence in respect of the land in question, and, thereafter, called upon the petitioner to pay the remaining 75% of the bid amount, and therefore, it is contended by the learned Senior Counsel appearing for the petitioner that, in identical circumstances, this Court in WP No.48067/2011 disposed of on 13.08.2013 (Annexure-L) has directed the respondent - Authorities to collect the remaining 75% of the bid amount, and take further action in the matter. Accordingly, sought for identical relief in this writ petition.

4. *Per contra*, learned Additional Government Advocate appearing for the respondents sought for dismissal of the petition and reiterates the averments made in the statement of objections.



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5. Having heard the learned counsel for the parties, on careful consideration of the impugned order would indicate that, the auction of the land in question was conducted by the respondent - Authorities, and the petitioner was declared as highest bidder, and thereby the petitioner had paid the 25% of the bid amount, however has not paid the remaining 75% on the ground that the respondent -Authorities have not, fulfilled the conditions stipulated in the auction document as to conduct survey and cover the extent of the land by fence, and therefore, taking into consideration the order passed by this Court in WP No.48067/2011 disposed of on 13.08.2013 (Annexure-L), I am of the view that, the writ petition requires to be allowed.

6. It is also forthcoming from the order sheet that, the petitioner herein has deposited Rs.13,65,000/- by way of DD No.506717 drawn on Bangalore City Co-operative Bank Ltd., Vijayanagara Branch, and another DD for a sum



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of Rs.15,00,000/- as per DD No.590357 drawn on Yes Bank, Indiranagara Branch, and the total extent of the remaining 75% was deposited before this Court vide memo dated 27.01.2016 for a sum of Rs.28,65,000/-.

7. The aforementioned aspects would indicate the bona fides of the petitioner to deposit the remaining 75% of the bid amount subject to the conditions stipulated, as to, putting up the fence by the respondent - Authorities.

In that view of the matter, I pass following:

ORDER

- i) The writ petition is allowed.
- ii) The order dated 21.06.2010 (Annexure-Q) passed by the respondent No.2 is accordingly set aside.
- iii) The writ of mandamus is issued to the respondent No.2 to receive the 75% of the bid amount and to issue sale certificate in favour of the petitioner within a period of two months



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from the date of receipt of certified copy of this order.

The amount in deposit made by the petitioner pursuant to the memo dated 27.01.2016 shall be transferred to the respondent No.2 after the learned Additional Government Advocate furnishes the relevant information as to the account details of the respondent No.2 within a period of two weeks from the date of receipt of certified copy of this order.

It is also to be noted that the respondent No.2 is directed to, put up fence in respect of the land, which is to be allotted in favour of the petitioner. In such circumstances, the cost of putting up such fence shall be borne by the petitioner.

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

BKM
List No.: 1 Sl No.: 41