



CNR: KAHC010154542026

NC: 2026:KHC:40637
WP No. 7112 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 7112 OF 2026 (LA-KIADB)

BETWEEN:

SMT. MANJUSHREE KABRA
AGED ABOUT 56 YEARS
WIFE OF SHRI. KIRTI KUMAR KABRA,
RESIDING AT NO.A-905, RNS SHANTHI NIVAS,
YESHWANTHPUR, BENGALURU - 560 022.
REPRESENTED BY HER GPA HOLDER
MR. SOUVIK BAG
SON OF BANKIM BAG
AGED ABOUT 32 YEARS,
RESIDING AT 2W, B.K. PAUL LANE,
DUM DUM, KOLKATA-700030.

...PETITIONER

(BY SRI. VACHAN H.U., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY OF
URBAN DEVELOPMENT AUTHORITY,
M.S.BUILDING, BANGALORE - 560 001
2. THE KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD,
HEAD OFFICE,
4TH AND 5TH FLOORS, EAST WING,
KHANIJA BHAVAN,
RACE COURSE ROAD,
BANGALORE - 560 001,
REPRESENTED BY ITS COMMISSIONER.
3. M/S. NANDI INFRASTRUCTURE CORRIDOR
ENTERPRISES LIMITED,

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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A COMPANY REGISTERED UNDER
THE COMPANIES ACT, 1956
HAVING REGISTERED OFFICE AT
NO.1, MIDFORD GARDEN,
OFFICE AT M R ROAD,
BANGALORE - 560 001
REPRESENTED BY ITS MANAGING DIRECTOR

...RESPONDENTS

(BY SRI. H.L.PRADEEP KUMAR, ADVOCATE FOR RESPONDENT NO.1;
SMT. MONICA PATIL, ADVOCATE FOR RESPONDENT NO.2;
SRI. NITIN PRASAD, ADVOCATE FOR RESPONDENT NO.3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE PRELIMINARY
NOTIFICATION, DATED 29.01.2003 BEARING NO.CI 196 SP 098
ISSUED BY THE RESPONDENT NO.2 WITH RESPECT TO SURVEY NO.
159 MEASURING 4 ACRES AND SURVEY NO.164 MEASURING 1 ACRE
AND 28 GUNTAS IN KOMMAGHATTA VILLAGE, KENGARI HOBLI,
BENGALURU SOUTH TALUK, BENGALURU (ANNEXURE - A).

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has challenged a preliminary notification,
bearing No.CI:196:SPQ:98 dated 29.01.2003, issued by the
respondents' Authority.

2. The petitioner contends that she is the owner of
lands bearing Sy.Nos.164 and 159 situate at Kommaghatta



Village, Kengeri Hobli, Bengaluru South Taluk, Bengaluru measuring 01 acre 28 guntas and 04 acres respectively. The aforesaid land was proposed for acquisition by respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (for short (the K.I.A.D Act). She contends that after preliminary notification, no steps are taken by respondents to finalize the acquisition even after 23 years. Therefore, the preliminary notification issued is abandoned. Consequently, she contends acquisition is deemed to have lapsed. Therefore, she seeks for the reliefs as mentioned above.

3. Learned counsel for the petitioner reiterated the above submission and stated that the preliminary notification has not taken shape and respondent No.1 has not taken any steps from the year 2003 and hence, the preliminary notification is stillborn.

4. Learned AGA, does not dispute the fact that respondent No.1 has not taken any steps to issue a final notification, pass an award and to take over possession of the property. The learned counsel for respondent No.2 also do not



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dispute the above position. The learned counsel for respondent No.3 submits that the delay in taking steps to finalize the acquisition is solely attributable to the respondent Nos.1 and 2 and therefore, liberty be reserved to respondent No.3 to initiate action against respondent Nos.1 and 2.

5. The proposal to acquire the land of the petitioner gained shape by virtue of a notification bearing No.CI:196:SPQ:98 dated 29.01.2003. Respondent No.1, who was bound to finalize the notification within a reasonable time, has failed to do so. Therefore, the petitioner cannot be kept waiting endlessly and she cannot be restrained from putting the property to better use. As the respondents have failed to take out necessary steps for finalization of the acquisition, the proposal to acquire the land of the petitioner is deemed to have been abandoned.

6. Consequently, the petition is allowed. The notification bearing No.CI:196:SPQ:98 dated 29.01.2003 issued by respondent No.1 is quashed and it is declared that the proposal to acquire the land of the petitioner having not been finalized is non est in the eyes of law and does not restrict



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the rights of the petitioner in respect to the above schedule properties in any manner whatsoever. If the name of respondent No.1 is entered in the RTC of Sy.Nos.164 and 159 situate at Kommaghatta Village, Kengeri Hobli, Bengaluru South Taluk, Bengaluru measuring 01 acre 28 guntas and 04 acres respectively, the same shall be deleted and the name of petitioner shall be restored. It is needless to mention if respondent No.3 has any grievance against respondent Nos.1 and 2 for not finalizing the acquisition within time, it is open for respondent No.3 to take necessary steps in accordance with law.

**Sd/-
(R. NATARAJ)
JUDGE**

HJ
List No.: 1 Sl No.: 35