



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 984 OF 2026 (BDA)

BETWEEN:

1. BENGALURU DEVELOPMENT AUTHORITY,
THROUGH ITS CHIEF COMMISSIONER,
T.CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.
2. EXECUTIVE ENGINEER - EAST DIVISION,
BANGALORE DEVELOPMENT AUTHORITY,
HSR BDA COMPLEX, BENGALURU - 560 102.

...APPELLANTS

(BY SRI. AJAY KUMAR M., ADVOCATE)

AND:

1. DR. G.V. PALAKSHA,
S/O LATE G .T. VENKATASWAMY REDDY,
AGED ABOUT 61 YEARS,
R/AT NO. 1141, 21ST CROSS,
SECTOR-03, HSR LAYOUT,
BENGALURU - 560 102.
2. MR. G.V. CHANDRASHEKAR,
S/O LATE G.T. VENKATASWAMY REDDY,



AGED ABOUT 58 YEARS,
R/AT NO. 335, 9TH MAIN,
4TH PHASE, DOLLARS COLONY,
BENGALURU - 560 102.

3. STATE OF KARNATAKA,
DEPARTMENT OF URBAN DEVELOPMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001.
REPRESENTED BY ITS SECRETARY.

...RESPONDENTS

(BY SRI. NIRTHYA KALIGOTLA, ADVOCATE
FOR C/R1 AND R2,
SRI. B.RAVINDRANATHA, AGA FOR R3)

THIS WRIT IS APPEAL FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR
RECORDS AND ALLOW THE ABOVE WRIT APPEAL AND SET
ASIDE THE IMPUGNED ORDER DATED:11.02.2026 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NO.20701/2025 AND
ETC.,

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 11.02.2026 passed by the writ Court in WP.No.20701/2025 filed by the respondents.

2. The petitioners are the owners of land measuring 19 acres 15.5 guntas, for which they have entered into a joint development agreement with a developer for forming sites.

3. The parties are referred to as per their ranking before the writ Court.

4. The petitioners have applied for sanctioning the plans. The petitioners were required to relinquish an extent of 531.487 square meters of their land for construction of Comprehensive Development Plan (CDP) road. The petitioners have executed the relinquishment deed dated 04.06.2014, relinquishing to an extent of



531.487 square meters of their land in favour of the planning authority for construction of CDP road. The land earmarked for CDP road can be acquired under Section 169 of the Karnataka Town Planning Act, 1964. The provisions of Section 14-B of the Karnataka Town Planning ACT, provides that no persons shall be eligible for development rights over the surrendered area earmarked for road, path or normal road to the planning authority or local authority, while appearing for formation of layouts or development of any land under Sections 15 and 17. However, this provision does not provide that, for formation of the common Comprehensive Development Planning road, the land owner shall not be entitled for the compensation or Transferable Development Rights (TDR).

5. This Court in the judgment dated 29.04.2026 passed in WA.No.522/2025 has taken note of the rules and regulations of Revised Master Plan- 2015. Regulations 7.1.3 of the Zoning Regulations provides for granting additional FAR in respect of the relinquished land for



construction of the CDP Road. Even as per the relinquishment deed, 531.487 square meters of land has been demarcated for construction of CDP Road. The planning authority has refused to sanction TDR or the compensation for 531.487 square meters for which the petitioners have filed the writ petition and the writ Court vide the impugned order has held that the denial of TDR is unsustainable and therefore, allowed the writ petition.

6. The direction to the Planning Authority to transmit the development rights of the TDR to the petitioners proportionate to the land which they have relinquished i.e., 531.487 square meters has been correctly passed.

7. We find no substance in the submission of learned counsel for the appellants that the relinquished land i.e., 531.487 square meters is part of the approved plan. Even the relinquishment deed states that 531.487 square meters is relinquished for the TDR road. If a road is



constructed outside the plan for public use by the Planning Authority, it cannot be said that it is part of the approved plan. A CDP road is different than the internal roads within the layout.

We therefore, find no substance in this appeal. There is no scope to interfere with the impugned judgment and order passed by the learned Single Judge. We ***dismiss*** this appeal, however without costs.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

PK
List No.: 1 Sl No.: 5
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