



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 20391 OF 2015 (LA-KHB)

BETWEEN:

1. SHANKARAPPA
S/O CHIKKADODDAIAH
AGED ABOUT 70 YEARS
2. S. APPANNAGOWDA
S/O SHANKARAPPA
AGED ABOUT 41 YEARS,
3. S. MUNIRAJU
S/O SHANKARAPPA
AGED ABOUT 38 YEARS,
4. S. SATHISH GOWDA
S/O SHANKARAPPA
AGED ABOUT 37 YEARS,
5. S. MUNEGOWDA
S/O SHANKARAPPA
AGED ABOUT 35 YEARS,
6. S. ADHISESHA
S/O SHANKARAPPA
AGED ABOUT 33 YEARS,

ALL ARE R/O ALLALASANDRA VILLAGE,
YELAHANKA HOBLI,
BANGALORE NORTH TALUK
BANGALORE-65.

...PETITIONERS

(BY SRI. SACHIN B.S., ADVOCATE)

Digitally signed
by
HEMALATHA J
Location: HIGH
COURT OF
KARNATAKA



AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY
HOUSING AND URBAN DEVELOPMENT AUTHORITY,
VIKASA SOUDHA,
BANGALORE-560001.
2. THE COMMISSIONER
KARNATAKA HOUSING BOARD,
CAUVERY BHAVAN,
BANGALORE-560009.
3. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA HOUSING BOARD,
CAUVERY BHAVAN,
BANGALORE-560 001.
4. THE CHAIRMAN
KARNATAKA HOUSING BOARD,
5TH FLOOR, CAUVERY BHAVAN,
BANGALORE-560009.
5. TAHASILDAR
BANGALORE NORTH ADDITIONAL
YELAHANKA, BANGALORE-64.

...RESPONDENTS

(BY SRI. B.J.MAHESH, ADVOCATE FOR RESPONDENT NOS.2 TO 4;
SRI. ADITYA DIWAKAR, ADDITIONAL GOVERNMENT ADVOCATE FOR
RESPONDENT NOS.1 AND 5)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO DECLARE THAT IN VIEW OF
SECTION 24(2) OF THE RIGHT TO FAIR COMPENSATION AND
TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND
RESETTLEMENT ACT, 2013 WHICH COMES INTO EFFECT ON
01.01.2014 THE PETITIONERS' SCHEDULE LAND WHICH IS SUBJECT
MATTER OF ACQUISITION PROCEEDINGS INITIATED UNDER LAND



ACQUISITION ACT, 1894 BY THE RESPONDENTS HAVE DEEMED TO BE LAPSED 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 R. NATARAJ

ORAL ORDER

The petitioners have challenged the notification bearing No. ಕಂ.ಇ 310 ಭೂಸ್ವಾಭೆ 90 dated 25.03.1991 issued by the respondent No.1 in respect of the land bearing Sy. No. 64/4 of Allalasandra Village, Yelahanka Hobli, Bengaluru North Taluk, measuring 1 Acre 7 guntas.

2. The aforesaid land was proposed for acquisition in terms of a preliminary notification dated 18.01.1989. The petitioners contend that even though a final notification was issued on 25.03.1991, the possession of the aforesaid land was not taken and no award was passed by the respondents. It is also contended that there is no housing Scheme sanctioned by the State Government.

3. The learned counsel for the petitioners submits that the contentions urged in this petition are no longer *res integra*



in view of the order dated 29.05.2012 passed by a coordinate Bench of this Court in W.P No.9593/2007 and connected petitions, which was upheld by a Division Bench of this Court in W.A No.3469/2012 and connected appeals (disposed off on 26.11.2015). He, therefore, submits that the impugned notification is still born and hence, is liable to be set at nought.

4. The learned counsel for respondent Nos.2 to 4 and Additional Government Advocate for respondent Nos.1 and 5 do not dispute the fact that the acquisition by the respondent No.1 for the purposes of the respondent No.2 was set at nought by the coordinate bench of this Court in W.P. No.9593/2017 and connected petitions in terms of the order dated 29.05.2012, which was also upheld by a Division Bench of this Court in W.A No.3469/2012 and connected appeals (disposed off on 26.11.2015).

5. In that view of the matter, for the reasons mentioned in the order dated 29.05.2012 passed in W.P No.9593/2017 and connected petitions and in the judgment dated 26.11.2015 passed in W.A No.3469/2012 and connected appeals, this petition is **allowed** and the impugned notification



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bearing No. ಕೆ.ಇ 310 ಭೂಸ್ವಾಭೆ 90 dated 25.03.1991 issued by the respondent No.1 in so far as the land bearing Sy. No.64/4 of Allalasandra Village, Yelahanka Hobli, Bengaluru North Taluk, measuring 1 Acre 7 guntas, is quashed. If the name of the respondent Nos.2 to 4 - Karnataka Housing Board is entered in the revenue records relating to the aforesaid land, the same shall stand deleted and the names of the petitioners shall be restored.

Sd/-
(R. NATARAJ)
JUDGE