



CNR: KAHC010342982026

NC: 2026:KHC:47843
WP No. 15707 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 15707 OF 2026 (BDA-)

BETWEEN:

SRINIVASA MURTHY
AGED ABOUT 66 YEARS,
S/O. S. SUBBARAO
RESIDING AT NO.33, GOPALAKRISHNA LAYOUT,
YADALAMNAGAR, SUBRAMANYAPURA MAIN ROAD,
UTTARAHALLI, BENGALURU-570 061

...PETITIONER

(BY SRI. N. MANOHAR, ADVOCATE)

AND:

THE BENGALURU DEVELOPMENT AUTHORITY
BY ITS COMMISSIONER,
NO.20, T. CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU-20

...RESPONDENT

(BY SRI. M.H. HANEEF, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT -BDA REVISE THE VALUE OF THE ALLOTTED SITE NO. B5-SK-3340 VIDE ANNEXURE-D AND FIX THE REVISED VALUE OF THE ALLOTTED SITE AS ON THE DATE OF ACQUISITION i.e. FROM 2002 AND ISSUE FRESH DEMAND NOTICE IN THE INTEREST OF JUSTICE AND EQUITY.

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010342982026

NC: 2026:KHC:47843
WP No. 15707 of 2026

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 petitioner has sought for a writ in the nature of mandamus to direct the respondent - BDA to determine the sital value in respect of site allotted to him, based on the rate of allotment in the year 2002, when he filed an application for allotment of alternate site and collect the same and execute the deed of absolute sale in respect of site bearing No.B5-SK-3340 in 'Nadaprabhu Kempegowda Layout'.

2. Briefly stated, the facts of the case as pleaded in the writ petition are that the petitioner was the owner of a revenue site bearing No.66, measuring 30' x 40', formed in Sy.No.167/2, situate at Ullala village, Yeshwanthapura Hobli, Bengaluru North Taluk, which was purchased by him in terms of a sale deed dated 06.01.1993. The aforesaid property was acquired for the purposes of formation of 'Sir M. Vishweshwaraiah Layout'. The possession of the said site was taken on 03.03.2003 and the compensation of Rs.23,49,480/-



CNR: KAHC010342982026

**NC: 2026:KHC:47843
WP No. 15707 of 2026**

was deposited before the reference Court in LAC No.180/2004. The petitioner contends that he did not receive the compensation. However, he filed an application on 09.12.2002 and requested the respondent - BDA to allot an alternate site in lieu of monetary compensation. The respondent - BDA informed the petitioner that it had agreed to allot the alternate site No.692 in 'Sir M. Vishweshwaraiah Layout'. However, as the said site was not available, the respondent - BDA agreed to allot a site in 'Nadaprabhu Kempegowda Layout'. Accordingly, the respondent - BDA allotted site No.B5-SK-3340 in 'Nadaprabhu Kempegowda Layout' in terms of letter of allotment dated 04.02.2026. Further, the respondent - BDA issued an endorsement on 03.03.2026 demanding the present value of the site at Rs.41,04,500/-. The petitioner being aggrieved by the same, is before this Court.

3. The learned counsel for the petitioner submits that the very same issue came up for consideration in W.P.No.53727/2016 and a Co-ordinate Bench of this Court in terms of an order dated 15.02.2019 held that the price of the allotted site should be determined as on the date of the



petitioner's application. He contends that the finding of a Co-ordinate Bench was upheld by the Division Bench of this Court in W.A.No.470/2020 and a Special Leave Petition filed thereagainst in SLP (C) No.3898/2021 was dismissed. He contends that in W.P.No.15269/2024, a Co-ordinate Bench had held that the price of allotment should be the price as on the date when an application was filed seeking allotment of an alternate site and this finding was upheld by the Division Bench in W.A.No.659/2025. He therefore, prays that the petitioner also be extended the same benefit.

4. The learned counsel for the respondent however contended that another Co-ordinate Bench of this Court in W.P.No.22467/2024 had held that the rate at which the alternate site could be allotted should be reckoned as on the date the decision is passed to allot an alternate site. He therefore, submitted that the letter of allotment and the demand of allotment price under the impugned endorsement is just and proper and is in line with the judgment passed by a Co-ordinate Bench in W.P.No.22467/2024.



5. I have considered the submissions of the learned counsel for the petitioner and the learned counsel for the respondent.

6. The petitioner had registered himself with the respondent for allotment of an alternate site and had submitted his application for allotment of an alternate site in the year 2002 as per the judgment passed by a Co-ordinate Bench of this Court in ***Junjamma and Others v. The Bangalore Development Authority - ILR 2005 KAR 608***. In view of the Judgments of the Division Bench of this Court in W.A.Nos.659/2025 and 470/2020, the respondent was entitled to demand the allotment price at such rate fixed as on the date the petitioner was registered for allotment of an alternate site i.e., in the year 2002. If the respondent-BDA has sat over the request of the petitioner for over 24 years, the petitioner cannot be put on the guillotine.

7. In view of the above, the endorsement issued by the respondent so far as it relate to demanding to pay value of the site at Rs.41,04,500/- at present value deserves to be set at nought.



CNR: KAHC010342982026

NC: 2026:KHC:47843
WP No. 15707 of 2026

8. Accordingly, the following order is passed:

ORDER

- i. The petition is ***allowed***;
- ii. The impugned endorsement bearing No.BDA/DS-3/6646/2025-26 dated 03.03.2026 in so far as it relates to demanding the allotment price of Rs.41,04,500/-, is quashed.
- iii. The respondent is directed to determine the allotment price as it was fixed in the year 2002 and issue appropriate communication to the petitioner.
- iv. This shall be complied within a period of three months from the date of receipt of a certified copy of this order.
- v. If a communication is received by the petitioner, the same shall be complied as directed by the respondent.

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

PMR