



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

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

WRIT APPEAL NO. 857 OF 2025 (KLR-RES)

BETWEEN:

SRI. MANJUNATH DASAPPA,
SON OF LATE SRI DASAPPA,
AGED ABOUT 57 YEARS,
RESIDING AT, NO. 364 365,
9TH MAIN, DOLLARS COLONY,
J.P. NAGAR, 4TH PHASE,
BENGALURU - 560 078.

...APPELLANT

(BY SRI. UDAY HOLLA, SR. COUNSEL FOR
SRI. RAGHURAM CADAMBI., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
VIKAS SOUDHA,
DR. AMBEDKAR VEEDI,
BENGALURU - 560 001.
2. THE SURVEY COMMISSIONER,
DEPARTMENT OF SSLR,
K.R. CIRCLE,
BANGALORE - 560 001.



3. THE DEPUTY COMMISSIONER,
KANDAYA BHAVAN,
BANGALORE URBAN DISTRICT,
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI. M.N. SUDEV HEGDE, AGA)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE WRIT APPEAL, AND SET ASIDE THE JUDGEMENT DATED:25.04.2025 PASSED BY THE LEARNED SINGLE JUDGE IN W.P No.7812/2025, CONSEQUENTLY, ALLOW THE WRIT PETITION IN WRIT PETITION No.7812/2025 AS PRAYED FOR AND ETC.,

THIS APPEAL, COMING ON FOR ORDERS, 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 order dated 25.04.2025 passed by the writ Court in W.P.No.7812/2025 filed by the appellant/ petitioner challenging the order dated 29.01.2025 passed in R.P.No.97/2022.



2. The Deputy Director of Land Record¹ vide order dated 19.09.2014, rejected the claim of the petitioner in respect of the land in Sy.No.183/1 and Sy.No.183/2 being B-Kharab land.

3. The DDLR was of the view that the land to an extent of 23 Acres 05 Guntas in Sy.No.183 was B-Kharab land, over which there were communal rights involved and the same could not be granted in favour of the petitioner. Aggrieved by the order passed by the DDLR, the petitioner had filed the revision before the Deputy Commissioner. The Deputy Commissioner passed an order dated 17.08.2017, and directed that notice be issued to the concerned, a spot inspection be conducted, a measurement be taken and the portion which was to be utilised by the public i.e., B-kharab land, would have to be determined and the remaining cultivable area would have to be assessed for payment of land revenue.

¹ 'the DDLR', for short



4. The petitioner/ appellant filed an application on 27.09.2017 contenting that, there were several errors in the order dated 17.08.2017 passed by the Deputy Commissioner. The Deputy Commissioner accepted the request and exercising his purported power under Section 58 of the Karnataka Land Revenue Act, 1964, proceeded to pass Corrigendum Order, which was nothing but a fresh order passed by the Deputy Commissioner on 03.10.2017. The said order came to be challenged before the Karnataka Appellate Tribunal². The Tribunal vide order dated 29.01.2025, set-aside the Corrigendum Order dated 03.10.2017. The order passed by the Tribunal was subject matter in the Writ Petition. The Writ Court had dismissed the Writ Petition and affirmed the order passed by the Tribunal.

5. Sri.Uday Holla, learned Senior counsel for the appellant submits that challenge before the Tribunal was only in respect of the Corrigendum Order dated

² the Tribunal, for short



29.01.2025 and there was no challenge to the original order dated 03.10.2017 passed by the Deputy Commissioner. The order dated 17.08.2017 has attained finality and therefore, the order dated 17.08.2017 may be given effect to, at the earliest. However, he submits that he does not press to challenge any further order of the Tribunal dated 29.01.2025 passed in RP.No.97/2022, whereby the Corrigendum Order dated 29.01.2025 came to be quashed.

6. We accept the submission of Sri.Uday Holla, learned Senior counsel. As there was no challenge to the original order passed by the Deputy Commissioner dated 17.08.2017, the said order has attained finality and the said order has to be given effect to. We therefore, ***dispose of*** this Writ Appeal with a direction to the concerned Authorities to give effect to the order dated 17.08.2017 passed by the Deputy Commissioner within a period of three months.



7. In view of disposal of the Writ Appeal, pending interlocutory applications, if any, stand disposed of.

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

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

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