



CNR: KAHC010383062026

NC: 2026:KHC:37677
WP No. 17692 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 17692 OF 2026 (LB-BMP)

BETWEEN:

SMT. PUSHPAVATHI
C/O SATHYANARAYANA,
AGED ABOUT 37 YEARS,
RESIDING AT NO.36, 3RD CROSS,
SAMPANGIRAMA NAGAR,
WILSON GARDEN, BENGALURU,
KARNATAKA 560 027.

...PETITIONER

(BY SRI. NATARAJ D.,ADVOCATE)

AND:

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA

1. THE CHIEF COMMISSIONER, GBA
OFFICE AT N.R.SQUARE,
BENGALURU 560 002.
2. THE DEPUTY DIRECTOR
TOWN PLANNING ZONE-2
BENGALURU CENTRAL CITY
CORPORATION GBA,
BENGALURU - 560 002.
3. THE ASSISTANT DIRECTOR
TOWN PLANNING
BENGALURU CENTRAL



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CITY CORPORATION GBA,
BENGALURU - 560 002.

...RESPONDENTS

(BY SRI. MADHU J N.,ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER DATED QUASHING
DEMAND THE NOTICE DATED 12.05.2026 BEARING NO.
ಉನಿನ.ಯೋ/ಕೇ.ವ-2/ಸಿ.ಓ/19/25-26 ISSUED BY THE
RESPONDENT NO.2 AT ANNEXURE-F.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner who asserts ownership of property
bearing No.24, PID No.77-12-24, situated in 6th
Cross, II Stage, S.R.Nagar, Bengaluru [for short, '*the*
subject property'], is aggrieved by the second
respondent's Order dated 12.05.2026 [*Annexure-F*].



The second respondent's order is under Section 243 (3)(e) of the Greater Bengaluru Governance Act, 2024 [for short, '*the GBG Act*'] calling upon the petitioner to remove deviations in the construction. This order is after conclusion of the proceedings under Section 243(3)(d) of the GBG Act.

However, Sri Nataraj D., the learned counsel for the petitioner, submits that this Court must intervene because the petitioner is not served with notice or extended a due opportunity. Sri Madhu J N, a learned counsel whose appearance for the respondents is accepted, submits that the petitioner contends that the second respondent's impugned order is without jurisdiction and for extraneous consideration but the petitioner should avail remedy under Section 250 of the GBG Act for redressal of the grievance on these grounds.



The question for consideration in these circumstances will be whether this Court must intervene when the petitioner has an alternative statutory remedy and in the circumstances this Court opines that the petitioner must be relegated to such an alternative remedy leaving open all questions to be considered in the appeal if the petitioner avails such remedy.

As regards the protection that must be against demolition with the petitioner having to avail alternative remedy, this Court is of the view that the respondents must defer precipitation against construction under the impugned order for a period of four [4] weeks from today. It would be needless to observe that during these four weeks the petitioner shall not put up any construction or occupy the premises and if there is any violation of this condition, it shall be open to the second respondent to ensure that the premises is seized.



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The petition stands disposed of in the afore
terms.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-