



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT APPEAL NO. 954 OF 2023 (GM-KLA)

BETWEEN:

1. BENGALURU DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD,
KUMARA PARK WEST,
BANGALORE - 560 020.
2. ASSISTANT EXECUTIVE ENGINEER
NO.1, PLANNING SUB DIVISION
BDA COMMERCIAL COMPLEX
BSK II STAGE,
BANGALORE - 560 070.
3. TOWN PLANNING MEMBER
TOWN PLANNING DIVISION
BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD
KUMARA PARK WEST
BANGALORE - 560 020.

...APPELLANTS

(BY SRI. MURUGESH V. CHARATI, ADVOCATE)

AND:

1. THE ADDITIONAL REGISTRAR
ENQUIRY NO.1,



KARNATAKA LOKAYUKTHA
MULTISTORIED BUILDING
BANGALORE - 560 001.

2. SRI. M.R. SEETHARAM
S/O M.S.RAMIAH,
AGED ABOUT 66 YEARS,
D-4, I FLOOR, UNITY BUILDING
J.C.ROAD, BANGALORE - 560 002
W/O SRI. VENKATESH,
3. SRI. K.N. SHARATH BABU
S/O D.K. NAGARAJ
AGED ABOUT 42 YEARS,
NO.53, GURUJU NIVAS,
5TH MAIN ROAD, ADITHYANAGAR
J.P.NAGAR, 8TH PHASE,
BANGALORE - 560 062.

...RESPONDENTS

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED
16.02.2023 PASSED BY THE HON'BLE LEARNED SINGLE JUDGE
IN WP No.11793/2016 (GM-KLA) AND ALLOW THE WRIT
APPEAL BY DISMISSING THE WRIT PETITION.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU



ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This writ appeal is filed by the Bangalore Development Authority praying to set aside the order dated 16.02.2023 passed by the learned Single Judge in W.P.No.11793/2016.

2. Heard learned counsel for the appellants-Bangalore Development Authority (BDA).

3. The brief facts of the case are as follows:-

The writ petitioner is the absolute owner of lands bearing Sy.No.88(P) and Sy.No.97(P), measuring 32 acres, situated at Kothanuru Village, Uttarahalli Hobli, Bangalore South Taluk. The petitioner obtained approval for formation of a residential layout from the Bangalore Development Authority (BDA) on 22.02.2002, in accordance with the Comprehensive Development Plan (CDP) 1995 and the Zoning Regulations approved on 05.01.1995. Pursuant to such approval, a work order was



issued and upon inspection, the BDA released the sites in favour of the petitioner.

Prior to sanction of the layout, the petitioner executed a Relinquishment Deed in favour of the BDA in respect of 7 park areas and 2 civic amenity sites. However, the roads were not relinquished as they had not been formed at that stage. Subsequently, the BDA passed a resolution permitting the petitioner to utilize 55% of the land for residential purposes instead of 50% and accordingly allowed formation of an additional site bearing No.469B.

Respondent No.5 was allotted a civic amenity site by the BDA in favour of a Trust in which he had an interest. Though the site was reserved for educational purposes, it was utilized for construction of a temple, which was objected to by the residents of the layout. The petitioner did not support such unauthorized act of respondent No.5. Respondent No.5 lodged a complaint before the Lokayukta on 16.10.2015 alleging violations of the layout plan. The



primary allegation was that the petitioner failed to provide for an 18.28 meter road between the 1st main and 1st cross road as required under the CDP and had encroached upon 10 meters of the said road, purportedly with the involvement of officials. Pursuant to the said complaint, the Lokayukta issued a notice to the petitioner calling for a reply, enclosing a copy of the complaint. The petitioner submitted a detailed response denying the allegations. The said notice issued by the Lokayukta is challenged in the Writ Petition.

The learned Single Judge considered the contentions advanced and quashed the Notice issued by the Lokayukta. Consequently, the learned Single Judge has ordered that, the application preferred by the petitioner for modification of the layout plan shall be considered by the BDA. This appeal is filed by the BDA.

4. The learned counsel appearing for the appellants-BDA submits that, the learned Single Judge has not considered the relevant aspects of the matter in the impugned order.



It is submitted that the Layout Plan was sanctioned and Work Order was approved on 22.02.2002. Thereafter, Layout was formed and sites were released by the Committee on 05.06.2002 and 12.08.2002 after spot inspection. It is submitted that the Layout Plan was sanctioned when the revised Comprehensive Development Plan 2011 and the Zonal Regulation of 1995 were enforced. The Plan was therefore in conformity with the approved plan. The learned counsel for the appellants would further contend that, the road width of 18 meters is not maintained by the Writ Petitioner and the said aspect should have been considered by the learned Single Judge.

5. Having considered the contentions advanced, we notice that, it is the specific case of the appellants that, the Layout Plan was sanctioned and Work Order was approved on 22.02.2002. The appellants also specifically states that the Layout was formed and sites were released on 05.06.2002 and 12.08.2002 after spot inspection and after satisfying itself regarding the formation of Layout in



accordance with the sanctioned plan and the regulations. The only direction issued by the learned Single Judge as against the appellants is that, the application preferred by the writ petitioner for modification of the Layout Plan shall be considered.

6. In view of the above, we are of the opinion that the appellants have not made out any good grounds for interference with the exercise of jurisdiction by the learned Single Judge in this appeal.

The appeal fails and is accordingly, ***dismissed***.

All pending interlocutory applications, shall stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**