



CNR: KAHC010476342025

NC: 2026:KHC:41974
WP No. 21923 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 21923 OF 2025 (LA-RES)

BETWEEN:

BANK OFFICERS AND OFFICIALS
HOUSE BUILDING CO-OPERATIVE SOCIETY LTD,
REGISTERED UNDER KARNATAKA CO-OPERATIVE
SOCIETY ACT, 1959,
NO.599/A, NARAYANA NAGAR
1ST BLOCK, C KANAKAPURA ROAD,
DODDAKALLSANDRA, BANGALORE 560062
REPRESENTED BY CHIEF EXECUTIVE OFFICER
SRI.VARUN N, S/O SRI.LATE R.NARASINGA RAO,
AGED ABOUT 30 YEARS

...PETITIONER

(BY SRI. KRISHNAMURTHY K R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY THE CHIEF SECRETARY,
BENGALURU - 560001
2. THE PRINCIPAL REVENUE SECRETARY
DEPARTMENT OF REVENUE,
STATE OF KARNATAKA,
3RD GATE, 5TH FLOOR, VIKASA SOUDHA,
DR.AMBEDKAR VEEDI, BENGALURU-560001
3. THE SPECIAL DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT, KANDAYA BHAVANA,
K.G. ROAD, BENGALURU-560009
4. THE SPECIAL LAND ACQUISITION OFFICER,
STATE OF KARNATAKA,
3RD FLOOR, VISHWESHWARAIH TOWER,
BENGALURU-560001

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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5. H.S. HARIKRISHNA
AGED ABOUT 55 YEARS
S/O LATE H. SHIVARAM JOSHI
NO.5, 12TH CROSS, SWIMMING POOL
EXTENSION, MALLESHWARAM - 03
[AMENDMENT CARRIED OUT AS PER THE ORDER
DATED 27.04.2026]
[RESPONDENT NO.5 DELETED AS PER
THE ORDER DATED 05.08.2026]

...RESPONDENTS

(BY SRI.ADITYA DIWAKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO COMPLY WITH THE ORDER DATED 15.03.2004, PASSED IN CIVIL APPEAL NO. 5787-5789/2004, BY THE SUPREME COURT OF INDIA (ANNEXURE-A), AS REQUESTED BY THE PETITIONER IN THE REPRESENTATION DATED 06.03.2025, VIDE (ANNEXURE-R) AND FURTHER DIRECT THE RESPONDENT NO.2 AUTHORITY TO HANDOVER THE POSSESSION OF THE LAND MEASURING TO AN EXTENT OF 8,61,557 SQ.FT., SITUATED IN THE VILLAGES OF JARGANAHALLI AND YELECHENAHALLI AND ETC.

THIS PETITION, COMING ON FOR ORDERS, 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 Nos.1 to 4 to comply with the order dated 15.03.2004 passed by the Hon'ble Supreme Court of India in Civil Appeal No.5787-5789/2004, by



considering its representation dated 06.03.2025. The petitioner has also sought for direction to respondent No.2 to hand over possession of 8,61,557 square feet of land situate in Jarganahalli and Yelachenahalli Villages.

2. (i) The petitioner claims that 123 acres of land in various survey numbers of Raghuvanahalli, Doddakallasandra, Jaraganahalli, Yelachenahalli Villages of Uttarahalli Hobli, Bengaluru South Taluk, were notified for acquisition for the petitioner. The acquisition was challenged before this Court in W.P.Nos.15233/1986 and 17658/1986. The writ petitions and consequent writ appeals were dismissed and which was thereafter challenged upto the Supreme Court in SLP No.8580/1991, which too was rejected. Subsequent thereto, some alienees of the land challenged the acquisition proceeding, which was favourably considered by this Court and the notifications were quashed. The same attained finality before the Hon'ble Supreme Court in Civil Appeal No.3020/1995, in terms of which, the order of the learned Single Judge of this Court was set aside and the acquisition was upheld. Thereafter, another writ petition was filed in



W.P.No.11475/1991 challenging the acquisition, which was also dismissed.

(ii) The petitioner claims that after an enquiry under Sections 9 and 10 of the Land Acquisition Act, 1894 (henceforth referred to as 'the Act, 1894') an award was passed and possession of the land measuring 29 acres 27 guntas in various survey numbers of Yelachenahalli was taken on 19.05.1999 and a notification under Section 16(2) of the Act, 1894 was published in the official gazette on 26.05.1999.

(iii) The petitioner contends that even after depositing the costs of acquisition and other charges, the respondents failed to hand over possession of the lands, which compelled the petitioner to file W.P.No.39589/2000 before this Court, which was allowed and the respondent No.2 was directed to hand over possession of the land in Yelachenahalli. The order passed in writ petition was then challenged in W.A.No.5893/2001, which was dismissed and a Writ Appeal filed by the State Government in W.A.No.347/2002 was also dismissed.



(iv) A Special Leave Petition was filed in SLP No.5787-89/2004 before the Hon'ble Supreme Court of India, which too was dismissed on 15.03.2004 and the State Government was directed to hand over physical possession of the land to the petitioner. The petitioner therefore submitted a representation to the respondent No.2 on 24.11.2009 requesting it to hand over possession.

(v) Since the respondents failed to do so, a contempt petition in C.C.C.No.551/2005 was filed wherein the State Government submitted before the Court that steps are taken to evict the unauthorized occupants and that the State Government is ready to hand over 13 acres 25 guntas of clear land. However, the petitioner refused to receive part of the land and claimed that it is entitled to the entire extent of 29 acres 27 guntas. At that stage, some of the unauthorized occupants approached this Court in W.P.No.8570/2006 and 8618/2006, where an interim order of *status-quo* was granted. In view of the interim order granted, the contempt petition was dropped, reserving liberty to the petitioner to seek revival of the petition after the interim order in W.P.No.8570/2006 was vacated.



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(vi) The petitioner contends that W.P.No.8570/2006 was dismissed on 16.09.2009 and various Writ Appeals filed there against were also dismissed vide order dated 02.09.2010. The petitioner thereafter sought revival of the contempt petition and the State Government again compelled the petitioner to receive 13 acres 25 guntas out of the entire extent of 29 acres 27 guntas.

(vii) In the meanwhile, the order passed in Writ Appeal No.3884/2009 was challenged before the Supreme Court of India in SLP (Civil) No.11753-11837/2012, where leave was granted. The petitioner contends that some of the unauthorized occupants occupying the land that was acquired for the petitioner's society approached for an amicable settlement of the dispute. The Hon'ble Supreme Court after hearing the parties was pleased to direct the parties to reach amicable settlement and accepted the terms placed before it, which was recorded in terms of an order dated 25.04.2019.

(viii) The petitioner contends that some of the unauthorized occupants have settled the dispute, which is in respect of an area measuring 2,00,000 square feet. Therefore,



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the petitioner is entitled to possession of the remaining 8,61,557 square feet. The petitioner contends that the representation in that regard was filed on 06.03.2025. The petitioner claims that the said representation is not considered and therefore seeks for a direction.

3. The learned counsel for the petitioner reiterated above submissions and submitted that the respondents having acquired the land for the petitioner are bound to hand over vacant possession of the property and that the Hon'ble Supreme Court has shot down all litigations in respect of this land and had also directed the State Government to take steps to hand over possession. He therefore contends that the State Government is bound to deliver possession of the acquired lands after clearing the unauthorized construction, if any.

4. The learned Additional Government Advocate submitted that the case of the petitioner would be considered in the light of the various proceedings before the various Courts from time to time and steps would be taken to comply the directions issued by the Courts in the proceedings. He submitted that if the petitioner is entitled for delivery of



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8,61,557 square feet, the State would take definite steps to ensure that the possession is handed over to the petitioner.

5. In view of the above submission of the learned Additional Government Advocate, this Writ Petition is ***disposed of***, directing the respondents particularly the respondent Nos.2 and 3 to consider the representation dated 06.03.2025 filed by the petitioner and if the petitioner is entitled to possession of 8,61,557 square feet of land in various survey numbers of Yelachenahalli or Jaraganahalli, the respondents shall take necessary steps to hand over the same to the petitioner. This shall be complied within a period of six months from the date of receipt of a copy of this order.

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