



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 1522 OF 2024 (LA-KIADB)

BETWEEN:

1. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD,
REP. BY ITS CHIEF EXECUTIVE OFFICER,
4TH AND 5TH FLOOR, EAST WING, KHANIJA BHAVAN,
RACE COURSE ROAD,
BANGALORE - 560 001.
2. KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD
REP. BY ITS ASSISTANT SECRETARY,
ZONAL OFFICE, BAIKAMPADY INDUSTRIAL AREA,
MANGALORE - 575 011

...APPELLANTS

(BY SRI CHANDRASHEKAR P.V., ADVOCATE)

AND:

1. M/S CHANTILLY GROUP
(A REGISTERED PARTNERSHIP FIRM)
NO.210, AMAR JYOTHI LAYOUT
6TH MAIN, OFF INNER RING ROAD
DOMLUR EXTENSION
BANGALORE - 560 071
REP. BY ITS PARTNER
SMT. PRITI UNADKAT

Digitally
signed by
SRIDEVI S
Location:
High Court
of Karnataka



2. STATE OF KARNATAKA
REP. BY ITS SECRETARY,
DEPARTMENT OF COMMERCE AND INDUSTRIES,
VIKASA SOUDHA, 1ST FLOOR
DR.B.R.AMBEDKAR ROAD
BANGALORE - 560 001

...RESPONDENTS

(BY SMT. NAMITHA MAHESH B.G. AGA FOR R-2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 20.04.2023 PASSED IN WP No-65254/2016 (GM-KIADB) BY THE LEARNED SINGLE JUDGE OF THIS HONBLE COURT BY ALLOWING THE ABOVE APPEAL AND CONSEQUENTLY DISMISSED THE SAID WRIT PETITION AND ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. This is an application seeking condonation of delay of 501 days in filing the present appeal. The same is supported by an affidavit setting out an explanation for the said delay.



2. The order impugned in the above captioned appeal is delivered on 20.04.2023. There is no dispute that the appellant was aware of the same and had applied for the certified copy of the impugned order on 23.05.2023, which was received a few days later on 27.05.2023. The explanation for the delay as set out in the affidavit reads as under:

"4. I state that, after receipt of the certified copy of the order was sent by our advocate to our office seeking our views. After receipt of the same, it was examined after examining the case papers forwarded the papers to Zonal office to take further course of action. The Zonal office in turn has sent the papers to the legal section through the Head office and thereafter after detailed discussion it was decided to file the appeal against the order of the Learned Single Judge. Accordingly a request was made to the legal section to take action for filing the appeal. The legal section has instructed to our advocate to prepare the writ appeal. Our advocate has sought certain clarifications and all the case papers to take further course of action.

5. I state that, after securing the case papers the matter has been entrusted our advocate to file the writ appeal. Thereafter the draft appeal and applications were prepared and sent for approval and after that, the present appeal is filed."

3. As is apparent from the above, the explanation is bereft of any details, apart from stating that the matter was examined and



papers were forwarded to the department, including legal section, there is no explanation as to the cause for the delay.

4. In ***Postmaster General v. Living Media India Ltd.***,¹ the Supreme Court had observed as under:

"29. In our view, it is the right time to inform all the government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bona fide effort, there is no need to accept the usual explanation that the file was kept pending for several months/years due to considerable degree of procedural red tape in the process. The government departments are under a special obligation to ensure that they perform their duties with diligence and commitment. Condonation of delay is an exception and should not be used as an anticipated benefit for the government departments. The law shelters everyone under the same light and should not be swirled for the benefit of a few."

5. The said observations are clearly applicable in the present case. Apart from stating, and that too without providing any specific details, that the views of the department had been taken and papers were forwarded from one department to another, there is no other explanation as to the delay. Plainly, that would furnish any sufficient cause that prevented the appellant from filing the

¹ (2012) 3 SCC 563



present appeal within time. The application is accordingly dismissed. Consequently, the appeal is also dismissed.

6. Pending applications stand disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

SD
List No.: 2 Sl No.: 18