



CNR: KAHC010596662026

NC: 2026:KHC:50715
WP No. 27120 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 27120 OF 2026 (LB-BMP)

BETWEEN:

SRI. K P ABU SAAB
S/O. LATE POKER SAB,
AGED ABOUT 70 YEARS,
R/O. NO.83, THIMMAIAH ROAD,
NEHRU PURAM,
BENGALURU-560001.

...PETITIONER

(BY SRI. KRISHNA S VYAS., ADVOCATE)

AND:

1. THE GREATER BENGALURU AUTHORITY
REPRESENTED BY ITS
CHIEF COMMISSIONER,
N.R. SQUARE, BENGALURU-560002.
2. THE BENGALURU SOUTH
CITY CORPORATION
REPRESENTED BY
ITS COMMISSIONER, BEGUR ROAD,
BOMMANAHALLI,
BENGALURU-560068.

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Location:
HIGH
COURT OF
KARNATAKA



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3. THE JOINT COMMISSIONER,
BENGALURU SOUTH
CITY CORPORATION
BOMMANAHALLI ZONE/ZONE-2,
JOINT COMMISSIONER'S OFFICE,
BEGUR MAIN ROAD,
BENGALURU-560068.

...RESPONDENTS

(BY SRI.PAWAN KUMAR., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO I. CALL FOR THE RECORDS LEADING TO THE PROVISIONAL ORDER AND SHOW-CAUSE NOTICE BEARING NO.06/2026-27 DATED 23.06.2026 AND THE SUBSEQUENT UNDATED CONFIRMATION/DEMOLITION ORDER BEARING NO.NIL; II. QUASH, BY ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, THE PROVISIONAL ORDER UNDER SECTION 243(3)(c) AND THE SHOW-CAUSE NOTICE UNDER SECTION 243 (3) (d) BOTH BEARING NO. 06/2026-27 DATED 23.06.2026 ISSUED BY THE R-3 VIDE ANNEX-B AND B1, INsofar AS THEY RELATE TO THE PETITIONER AND THE SCHEDULE PROPERTY;III. QUASH BY ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, THE UNDATED CONFIRMATION / DEMOLITION ORDER BEARING NIL ISSUED BY THE R-3 UNDER SECTION 243(3)(e) AND 244(1) VIDE ANNEXURE-E INsofar AS IT



RELATES TO THE PETITIONER AND THE SCHEDULE PROPERTY.

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

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

ORAL ORDER

The petitioner's grievance is with the Provisional Order and the Confirmation Order under Section 243 of the Greater Bengaluru Governance Act, 2024 [for short, '*the GBG Act*']. These Provisional and Confirmation Orders are produced as *Annexures B and B1*. The petitioner's case is that he has purchased a constructed property that is admitted to revenue entries in Form-B both digitally and otherwise and that the present proceedings are initiated at the instance of a person with whom he has a civil cause.

2. Sri. Krishna S Vyas, the learned counsel for the petitioner, relying upon the afore



circumstances, submits that **[a]** the petitioner has already filed an application as is made permissible for issuance of revenue entries in Form-A, **[b]** the application is pending and if the petitioner is admitted to revenue entries in such Form, he will also be entitled to apply for plan approval even for the standing structure and **[c]** in the circumstances, if action is taken to demolish standing structures in the subject property, the petitioner will be put to irreparable loss and injury. The learned counsel emphasizes that it is in these circumstances that he would request for this Court's interference under Article 226 of the Constitution of India without relegating the petitioner to the alternative remedy under Section 250 of the GBG Act.

3. Sri. Pawan Kumar, a learned standing counsel who accepts notice for the respondents, is heard. The learned Standing Counsel does not dispute that in terms of the campaign underway, it is



possible that the petitioner could have filed an application for revenue entries in Form-A and that if the petitioner is admitted to the benefit of such entries, the request for approval of standing structure would also be considered. However, the learned standing counsel submits that all aspects could be considered even by the appellate Authority if the petitioner avails statutory remedy.

4. At this stage, Sri. Krishna S Vyas submits that the petitioner will avail the appellate remedy but must be protected from precipitation because the Authorities could take some time to decide on the petitioner's request for an interim order against demolition in such appeal. These circumstances and submissions are considered. It is undisputed that if the petitioner has already submitted application for the revenue entries in Form-A and that if the petitioner is admitted to revenue entries in such



Form, he could be entitled to approval of the building as it now stands.

5. This Court must observe that the petitioner has alternative remedy where these undisputed circumstances must be considered before affirming the impugned Confirmation Order. As such, the petitioner must avail statutory appellate remedy, and in the interregnum and in the peculiar circumstances mentioned, there cannot be any precipitation defeating the rights that could be in the petitioner. As such, the following.

ORDER

[A] The petition stands disposed of with liberty to the petitioner to call in question the impugned Provisional/Confirmation Order in an appeal under Section 250 of the GBG Act leaving open all questions to be considered therein including whether



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the petitioner has filed an application for revenue entries under the relevant Notification and whether the Confirmation Order must prevail if indeed the petitioner has filed such application.

[B] The petitioner will be at liberty to file an application for interim protection during the pendency of the appeal when the afore questions are being considered and the Authorities are called upon to desist from taking coercive measures against the petitioner for a period of two [2] months observing that the appellate Authority shall consider the petitioner's request for interim order at the earliest.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-