



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

WRIT PETITION NO. 27904 OF 2025 (LA-BDA)

BETWEEN:

SHRI. VEERABHADRAYYA CHANDRASHEKHARAYYA
CHARANTIMATH,
S/O LATE SHRI. CHANDRASHEKARIAH
CHARANTIMATH,
AGED ABOUT 67 YEARS,
SHRI SHIVASHAKTI SAMRUDDHI NILAYA,
GURUBASAVA NAGAR,
NEAR S.N.MEDICAL COLLEGE,
NAVANAGAR,
BAGALKOT - 587 103.

...PETITIONER

(BY SRI. ASHOK HARANAHALLI, SENIOR COUNSEL FOR
SRI.CHAITANYA V JOSHI., ADVOCATE)

AND:

1. THE BANGALORE DEVELOPMENT AUTHORITY,
REPRESENTED BY THE
DEPUTY COMMISSIONER,
5TH MAIN ROAD, KUMARAPARK WEST,
GUTTAHALLI,
BENGALURU - 560 020.
2. CANARA BANK,
ASSET RECOVERY MANAGEMENT-I,
NOW ARM-I BRANCH,

Digitally signed
by PADMAVATHI
B K
Location: High
Court of
Karnataka



REPRESENTED BY ITS
AUTHORISED OFFICER,
NO.86, SPENCER'S TOWER,
M.G.ROAD,
BENGALURU - 560 001.

3. MR.ELANGO DASAPPA,
S/O MR.SOWRIAPPA DASAPPA,
MAJOR BY AGE,
PROPRIETOR OF M/S.S.S.CONSTRUCTIONS,
NO.S-717, MANIPAL BUILDING,
DICKENSON ROAD,
BENGALURU - 560 001.
4. MR.S.SUNDAR,
S/O MR.SELVARAJ,
MAJOR BY AGE,
NO.205-B, INNER CIRCLE,
WHITEFIELD,
BENGALURU - 560 066.
5. MR.MARIYAPPA A.,
S/O LATE MR.J.AROKIAPPA,
MAJOR BY AGE,
NO.48/105, B.S.C. ENCLAVE,
MUNIMARAPPA ROAD,
MARAPPA GARDEN,
BENGALURU - 560 046.
6. MRS. BHAVANI SUNDAR,
W/O MR.SUNDAR SELVARAJ,
MAJOR BY AGE,
NO.B-2015, PAVANI PARK WEST,
INNER CIRCLE, WHITEFIELD,
BENGALURU - 560 066.
7. SENIOR SUB REGISTRAR,
SUB REGISTRAR OFFICE YESHWANTHPUR,
NO.199, 3B COMPLEX,
1ST FLOOR, 13TH CROSS,



WEST OF CHORD ROAD, 2ND STAGE,
BENGALURU - 560 086.

...RESPONDENTS

(BY SRI.SHIVAPRASAD M SHANTANAGOUDAR, ADVOCATE FOR
R1;
SMT.HEMALATHA V., AGA FOR R7 - STATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-1
TO REGULARISE THE E-AUCTIONED IMMOVABLE PROPERTY AS
MENTIONED IN THE SCHEDULE BELOW AND COLLECT THE
NECESSARY BETTERMENT CHARGES BY RELEASING THE SAID
PROPERTY FROM THE SAID ACQUISITION, AS PER THE
ORDERS OF THE HONBLE SUPREME COURT OF INDIA AND
ETC.,

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

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA
and
HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.NAGAPRASANNA)

The petitioner is before this Court seeking the
following prayers:

*"Wherefore the petitioner respectfully prays that
this Hon'ble court be pleased to direct;*

*i) Issue a Writ of Mandamus or any other Writ, or
directing the Respondent No. 1 to regularise the E-
Auctioned Immovable Property as mentioned in the
Schedule and collect the necessary Betterment
Charges by releasing the said Property from the
said BDA Acquisition of Dr.Shivarama Karantha*



Layout, as per the orders Hon'ble Supreme Court of India.

ii) To direct the Respondent No.7, to register the said Sale Certificate dated 15/10/2024 produced as Annexure-A in favour of the Petitioner along with the Respondent without any prejudice.

iii) To pass any other order or directions as this Hon'ble Court deems fit in the facts and circumstance of the case, in the Interest of justice and equity."

2. Heard the learned Senior Counsel Sri. Ashok Harnahalli appearing for the petitioner and the learned counsel Sri. Shivaprasad M Shantanagoudar for the respondent - BDA.

3. The petitioner claims to be in possession of the subject property/schedule property. The property is said to have been purchased by the petitioner by participating in e-auction conducted by the Canara Bank and he is in possession of all the documents that are necessary to prove his ownership including the Sale Certificate and physical possession being handed over to the petitioner. The issue is with regard to the property of the petitioner which is now in his possession, purchased pursuant to



public auction being the subject matter of the acquisition for the formation of Dr. K Shivrama Karanth Layout.

4. Learned Senior counsel submits that the original owners of the property ought to have approached the JCC Committee venting out their grievance. They had not as possession of the property was with the Bank and the Bank had put the property into auction.

5. In that light, the learned Senior Counsel submits that certain factual aspects with regard to the property are to be determined. Today the JCC Committee is not in subsistence. The other committee/ the Bopaiah Committee is what is being directed by this Bench to consider cases of this nature and the kind and arrive at a factual finding with regard to the grievances or the rights of the petitioner's *qua* the acquisition for the purpose of formation of Dr. K Shivarama Karanth Layout.

6. Since the acquisition is not concluded as yet or it is not taken to its logical conclusion, the petitioners have



a right to appear before the Bopaiah Committee and submit the grievance. In identical circumstances, this Bench in terms of its order dated 06.02.2026 in W.P.No.19770/2025 (LA-BDA) between SRI.NAGESH v. BANGALORE DEVELOPMENT AUTHORITY AND ANOTHER, has relegated all such cases to be considered by the Bopaiah Committee for a factual finding. The order reads as under:

Heard Sri. Gaurav G.K., learned Counsel appearing for petitioner along with Sri Shivaprasad M. Shantanagoudar, learned Counsel appearing for respondents/Bangalore Development Authority ('BDA' for short).

2. The petitioner is said to be holder of a revenue site and constructed a dwelling house in the site formed in Sy.No.55/9 of Ramagondanahalli Village, Yelahanka Hobli, Bengaluru North Taluk, Bengaluru, which came to be acquired for formation of Dr.Shivaramakaranth Layout. The petitioner though seeks consideration of his representation submitted on 03.05.2025 pursuant to the orders of the Apex Court, the issue would be entitlement of the petitioner for the relief qua the site he had held.

3. The learned Counsel appearing for BDA Sri.Shivaprasad M. Shantanagoudar submits that the Apex Court has considered the grievances of the revenue site holders in the layout formed in Dr.Shivaramakaranth Layout.



4. *The Apex Court, in its order dated 05-05-2021, answering Miscellaneous Application Nos.1614-1616 of 2019 notices the affidavit filed by the BDA in respect of previous layouts formed by the BDA in which purchasers of revenue sites in those layouts have been permitted to apply for allotment of sites measuring 30x40'. The Apex Court observes as follows:*

"....(4) In our Order dated 18.03.2021, we had observed as under:

"It appears that certain persons belonging to poor and middle-income groups have purchased house sites from the land owners whose lands have been notified for the acquisition for the formation of the lay-out in question, prior to the date of the judgment dated 03.08.2018. We are of the view that their grievances also require to be redressed. we are informed that similar grievances of the purchasers of the sites in other layouts formed by the Bangalore Development Authority have been redressed by the Bangalore Development Authority. The Commissioner, Bangalore Development Authority, is directed to place on record the mode and manner of redressal of the grievances of such site-holders adopted by the Bangalore Development Authority in the previously formed lay-outs within a period of four weeks from today."

(5) In compliance of the above order, the Commissioner, Bangalore Development Authority (B.D.A.), has filed an affidavit dated 12.04.2021 stating that in respect of the previous lay-outs formed by the B.D.A. such as Anjanapura Layout, sir M. Vishweshwaraiah Layout, Banashankari 6th Stage layout, the purchasers of the revenue sites in those lay-outs have been permitted to apply for allotment of sites measuring 30 ft. x 40 ft. even though the sites purchased by them are bigger in dimension. The affidavit also indicates the other conditions based on which the sites were allotted to the revenue site holders.

(6) In consideration of the above, we are of the view that the purchasers of sites in Dr. Shivaram Karanth Layout are entitled for allotment of sites provided that their purchase of such sites



is prior to the date of the judgment i.e. 03.08.2018.

(7) The purchasers of the sites in Dr. Shivaram Karanth Layout are permitted to get themselves registered in the B.D.A. as applicants for allotment of sites under the Bangalore Development Authority (Allotment of Sites) Rules, 1984 ("B.D.A. Allotment of Site Rules") within 4 months from today.

(8) These purchasers should not be owning any other residential property in Bangalore and surrounding vicinity. They shall be bound by all the other terms and conditions for allotment of sites as per the B.D.A. Allotment of Site Rules.

(9) The General Power of Attorney holders and persons having an Agreement to Sell are not entitled for allotment of the sites.

(10) Purchasers of sites, through registered sale deeds, prior to 03.08.2018, are alone entitled for allotment of sites as per this order.

(11) The B.D.A. shall calculate the compensation payable to the applicants in respect of their acquired sites and give credit accordingly by adjusting the same towards the allotment price for the sites to be allotted and call upon the applicants to pay the balance, if any.

(12) The allotment of sites is restricted to sites measuring 30 ft. x 40 ft. being the maximum extent irrespective of the measurement of their sites that have been acquired by the B.D.A.

(13) The applicants have to withdraw the cases filed by them, if any, challenging the acquisition of their lands, before filing an application with the B.D.A. in terms of this order

(14) The purchasers of the sites are permitted to apply for allotment of sites to the B.D.A. along with self-certified photocopy of the title deeds on or before 17.09.2021. It is clarified that they need not pay the initial deposit. The



documents submitted by the applicants along with their applications for allotment of sites in terms of this order shall be referred by the Commissioner, B.D.A., to a committee of retired District Judges comprising of a Chairman and two Members. The Committee so appointed shall examine the title deed of the applicants and submit a report as to the ownership of the sites to the Commissioner, B.D.A. The rival claim(s), if any, shall also be decided by the committee. The B.D.A. would allot sites only to those applicants who are duly certified by this Committee as the owners, subject to their satisfying other conditions of this order."

The Apex Court, in terms of the aforesaid order, directed constitution of a Committee to go in the issue of revenue site holders. In furtherance of the direction so issued, Bopaiah Committee is constituted to specifically go into the issue of the revenue site holders and their respective claim.

5. In the light of the direction by the Apex Court as quoted supra, and the constitution of the Bopaiah Committee, the petitioner will have to be relegated to appear before the Committee, as in terms of the said order, it is for the Committee to decide the grievance of the petitioner and answer the same. In that light, we are of the considered view that this petition could be disposed, with a direction to the Committee to consider the grievance of the petitioner-revenue site holder and redress the same.

6. The learned Counsel for the BDA submits that several applications are pending before the Committee and there are several applications to be placed before the Committee, they could be of the notification of the year 2018 or 2022. In that light, we deem it appropriate to direct the BDA to consider the grievances of those persons i.e., the revenue site holders, by the Committee, notwithstanding the



fact that they are petitioners before the Court or otherwise. It is also necessary for the BDA to notify that the Committee is taking up the applications of the revenue site holders by giving adequate publicity.

7. The learned Counsel appearing for the petitioner submits that there are constructions put up in the property. Therefore, specific direction may be issued to the Committee while assessing the claim of the revenue site holders to look into the fact whether there are constructions put up in the property and pass necessary orders.

8. In the light of the aforesaid reasons, the following:

ORDER

- (a) The petition stands disposed.*
- (b) The petitioner is relegated to appear before the Committee qua his grievances.*
- (c) The grievance of the petitioner also shall bear consideration at the hands of the Committee like all the other applications that would bear consideration, as observed hereinabove.*
- (d) The Committee while assessing the claim of the revenue site holders shall also look into the fact whether there are constructions put up in the property and pass necessary opinion in accordance with law.*
- (e) Till the Committee decides on the applications of the respective applicants, status quo, qua the property, be maintained by the parties.*

Ordered accordingly."



In the light of the afore-quoted order, we deem it appropriate to direct the petitioner to appear before the Bopaiah Committee to address his grievances with a direction to the Committee to redress the grievances of the petitioner, in the same manner that is ordered hereinabove.

Till the decision is arrived at by the Committee, *status quo* to be maintained by both the parties.

With the above observations, the petition stands disposed of.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

**Sd/-
(VENKATESH NAIK T)
JUDGE**