HC-KAR

NC: 2026:KHC:44591-DB
CCC No. 1292 of 2025

CNR: KAHC010645662025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

CIVIL CONTEMPT PETITION NO. 1292 OF 2025

BETWEEN:

SRI.R.KIRTI KUMAR
AGED ABOUT 72 YEARS,
SON OF SHRI. GULRAJ KOTHARI,
RESIDING AT NO.24, GANESH KRIPA,
KAVI KALIDASA ROAD, GANDHINAGAR,
BANGALORE-560 009.

... COMPLAINANT

(BY SRI. SHREERAM TIMMAPPA NAYAK., ADVOCATE)

AND:

Digitally signed by
JAI JYOTHI J
Location: HIGH
COURT OF
KARNATAKA

SUMA.R. (K.A.S)
THE SPECIAL LAND ACQUISITION OFFICER,
BDA SANKEY ROAD,
BANGALORE-560 020.

... ACCUSED

(BY SRI. B.S.KARTHIKEYAN., ADVOCATE)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971 R/W ARTICLE 215 OF THE CONSTITUTION OF INDIA, BY THE COMPLAINANT, WHEREIN PRAYS THAT THE HON'BLE COURT BE PLEASED TO TAKE COGNIZANCE OF THE AFORESAID ACTS OF CIVIL CONTEMPT COMMITTED BY THE ACCUSED AND INITIATE CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED FOR COMMITTING DISOBEDIENCE TO THE ORDER DATED

21.02.2024 PASSED IN W.P.NO.10042/2021 BY THIS HON'BLE COURT AND ALSO FOR COMMITTING WILLFUL BREACH BY THE ACCUSED.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
&
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the complainant.

2. Disobedience of the order dated 21.02.2024, passed in Writ Petition No.10042 of 2021 is alleged. The order dated 21.02.2024, reads as follows:

> *1. The case of the petitioners is that their lands have been acquired by the Bangalore Development Authority ('the BDA' for short).*
> *2. However, compensation has not been paid. It is further contended that a house was standing on the said properties and the same has been demolished. Hence, they have filed this instant writ petitions with the following prayers:*
>
> > *"WHEREFORE, the Petitioner most humbly prays that this Hon'ble court be pleased to:*
> > *(a) Issue a writ directing the Respondent to allot a site of the same valuation for the land which was acquired.*
> >
> > *(b) Direct the Respondent to pay the suitable compensate for demolishing the house of the Petitioner on the property.*

(c) Direct the Respondent not to act nor to allot the same to anyone since the Petition is pending before this Hon'ble court concerned seeking for the regularization of the same and,

(d) Pass such other orders that this Hon'ble court deems fit in the facts and circumstances of the case by allowing this writ petition in the interest of justice and equity."

3. In the course of the arguments, the learned counsel for the petitioners submits that they would be satisfied if their case are considered by the Bangalore Development Authority ('the BDA' for short) as per the guidelines passed by this Court in W.P.No.8991/2006 and appropriate orders is passed.

4. The learned counsel for the respondents are also agreeable for the same and the learned counsel for the BDA submits that if the petitioners were to give a detailed representation, their case would be considered on the guidelines issued by this Court in W.P.No.8991/2006 and appropriate orders would be passed thereafter.

5. Hence, the following:

ORDER

i. The petitioners are given the liberty to make a fresh representation to respondent No.2 detailing the compensation that they are entitled to in accordance with law.

ii. Respondent No.2 is directed to consider the representation of the petitioners within a period of eight weeks thereafter and pass appropriate orders in accordance with law.

*iii. Accordingly, the Writ Petitions are hereby **disposed of.**"*

3. It appears that a representation dated 20.04.2024, was moved by the complainant seeking

allotment of an alternative site of the same measurement as the property acquired by the BDA in his favour, in view of the acquisition of the subject-mentioned site. In the compliance affidavit, it has been stated that by way of an endorsement dated 11.08.2026, the representation has been decided.

4. The documents enclosed alongwith the representation are the copy of the sale deed dated 03.02.1982, the encumbrance certificate, the gazette notification, a representation dated 14.01.2020 and the order dated 21.02.2024. None of the aforesaid documents that are stated to be enclosures to the representation have been filed along with this petition.

5. We further note that there is an admitted delay of 159 days in filing this contempt petition, which is reflected in I.A. No.1 of 2026, filed only on 16.02.2026, despite the filing of the contempt case on 25.09.2025. The affidavit filed in support of the application for condonation

of delay relates to the sufferance of the deponent due to age-related health constraints, and that reason is cited as *bonafide*.

6. In our opinion, that cannot be a ground to extend the limitation as provided under Section 20 of the Contempt of Courts Act. Accordingly, I.A.No.1 of 2026 stands dismissed.

7. In view of the reasons aforesaid, this contempt petition is consigned.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(TARA VITASTA GANJU)
JUDGE

JJ
List No.: 1 Sl No.: 22