



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 1681 OF 2025 (GM-KIADB)

BETWEEN:

1. M/S.BOGINENI HOSPITALITY INDIA PRIVATE LIMITED
REPRESENTED BY ITS AUTHORIZED
REPRESENTATIVE AND DIRECTOR
SMT. BOGINENI BHAGYALAKSHMI
HAVING ITS REGISTERED OFFICE AT
BOGINENI BLOCK, 87/2A
AND 87/3, SEEGEHALLI
SH-35 WHITEFIELD -KI AIRPORT ROAD
BENGALURU - 560 067

...APPELLANT

(BY SRI K N PHANINDRA, SENIOR ADVOCATE,
FOR SRI VIKRAM SIMHA.,ADVOCATE)

AND:

1. KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD (KIADB)
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
AND EXECUTIVE MEMBER
NO. 49, 4TH AND 5TH FLOOR
EAST WING, KHANIJA BHAVAN
RACE COURSE ROAD, BENGALURU - 560 001

...RESPONDENT

(BY SRI K SHASHI KIRAN SHETTY. ADVOCATE GENERAL/SENIOR
ADVOCATE
FOR SRI ASHOK NARAYAN NAYAK, ADVOCATE)



THIS WRIT APPEAL FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 02/05/2025 PASSED BY THIS LEARNED SINGLE JUDGE IN WP NO.19153/2024 AND ALLOW THE WRIT PETITION FILED BY THE APPELLANT.

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 MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

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

1. For the reasons stated in the affidavit accompanying the application, I.A.No.1/2025, the same is allowed and the delay of 118 days in filing the appeal is condoned.
2. The appellant has filed the present appeal impugning an order dated 02.05.2025 passed by the learned Single Judge of this Court in W.P.No.19153/2024 (GM-KIADB), whereby the said petition was rejected.
3. The appellant had filed the said petition impugning an intimation dated 15.06.2024 issued by the respondent-Karnataka



Industrial Areas Development Board [KIADB] informing the appellant that the allotment of the subject plot (Plot No.61-P of Hi-tech, Defence and Aerospace Park (IT sector), Bengaluru Urban District, measuring one acre) has been cancelled.

4. The subject plot was allotted to the appellant by virtue of the allotment letter dated 25.06.2014. The intimation dated 15.06.2024 indicates that the same was cancelled as the appellant had failed to pay an amount of ₹1,46,69,932/- towards balance tentative cost of land, interest and slum improvement cess.

5. The learned Single Judge found that the cancellation was neither arbitrary nor unreasonable, and it was a result of repeated default on the part of the appellant.

6. The appellant has filed an application, I.A.No.3/2025, accompanied by an affidavit, *inter alia*, stating that the appellant has made an application for the fresh allotment of the subject plot. The appellant further states that the amount of ₹1.08 crores deposited with the respondent, be considered towards the said application.



7. Mr. K. Shashi Kiran Shetty, the learned Advocate General submits on instructions that since the subject plot has not been allotted to any other party, the appellant's application for allotment afresh would be considered in accordance with the prevailing norms. He submits that if the appellant is found eligible and satisfies the norms, the plot may be allotted to him at the current value. In the meanwhile, till a decision is taken on the appellant's application, the subject plot in question would not be allotted to any other person.

8. Mr. K.N. Phanindra, the learned Senior Counsel appearing for the appellant submits that the present appeal may be disposed of in view of the aforesaid statement.

9. We note that the application (I.A.No.3/2025) purports to be in furtherance of the present appeal. Notwithstanding the same, the learned Senior Counsel appearing for the appellant states that the present appeal may be disposed of in view of the learned Advocate General's statement.

10. In view of the above, the present appeal is dismissed. However, we clarify that the KIADB shall be bound by the



statement made on its behalf and as recorded above. We also clarify that any adverse decision made by KIADB would not entitle the appellant to revive the present appeal.

11. The pending applications stand disposed of.

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

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

KPS
List No.: 1 Sl No.: 9