



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.30791 OF 2025 (LR)

BETWEEN:

1. SMT. K LAKSHMI PAVANA
W/O K. SATISH
AGED ABOUT 49 YEARS
R/AT OPP. HOTEL ROYAL FORT
CANTONMENT,
BELLARY-583101.

...PETITIONER

(BY SRI. H. KANTHARAJ, SENIOR COUNSEL FOR
SRI. J.R. MOHAN, ADVOCATE)

AND:

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
M.S BUILDING,
BENGALURU - 560 001.
2. THE ASST. COMMISSIONER,
CHITRADURGA SUB-DIVISION
CHITRADURGA - 577501.
3. THE THASHILDAR,
MOLAKALMURU TALUK,



MOLAKALMURU,
CHITRADURGA DISTRICT,
CHITRADURGA-577501.

...RESPONDENTS

(BY SRI. B.J. ESWARAPPA, AGA FOR R1 TO R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 20.01.2025 PASSED BY THE KARNATAKA APPELLATE TRIBUNAL IN REV. APPEAL NO. 438/2022 (AT ANNEXURE-H) BY ALLOWING THE SAID APPEAL AND CONSEQUENTLY SET ASIDE THE ORDER DATED 28.04.2015 PASSED BY THE RESPONDENT NO.2 IN PROCEEDINGS NO. LRM 79(A) CR 120/10-11 (ANNEXURE-D).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. Heard learned counsel appearing for the parties.
2. In this Writ Petition, the petitioner is assailing the order dated 20.01.2025 in Rev. Appeal No.438/2022 (Annexure-H) passed by Karnataka Appellate Tribunal and the order dated 28.04.2015 passed by respondent No.2 (Annexure-D).



3. Sri. H. Kantaraj, learned Senior Counsel, appearing on behalf of J.R.Mohan, learned counsel for the petitioner, contended by referring to the order passed by the Karnataka Appellate Tribunal (Annexure-H), that the reasons assigned by the Tribunal requires to be set aside on the ground that the matter has been challenged by the petitioner herein on earlier occasion also (Annexure-B), whereby the matter was remanded back to the respondent No.1 therein with a direction to dispose of the same in accordance with law after getting the notice served and after affording an opportunity of hearing to the petitioner and accordingly, sought for interference of this Court.

4. Per contra, learned Additional Government Advocate sought to justify the impugned order passed by the Karnataka Appellate Tribunal.

5. In the light of the submissions made by the learned counsel appearing for the parties, on careful consideration of the observation made by the Karnataka Appellate Tribunal in Appeal No.438/2022(Annexure-H) would indicate that the Tribunal had arrived at the conclusion that the amendment made to S.12(2) of the Karnataka Land Reforms Act is not



applicable to the facts of the case and accordingly, rejected the claim made by the petitioner, however condoned the delay.

6. I have carefully examined the reasons assigned by the Karnataka Appellate Tribunal at Para Nos.12 and 13 of the impugned order at Annexure-H, wherein the Tribunal arrived at the conclusion that in view of the promulgation of the Karnataka Land Reforms (Amendment) Ordinance, 2020, as no appeal proceedings was pending as on 13.07.2020, Section 12(2) of the Amendment does not apply to the facts of the case and accordingly, rejected the application made by the petitioner. However, it is also to be noted from the observation made by this Court in the Order dated 11.09.2025 in W.P.No.25710/2025, wherein, at para No.6, it is held as follows:

"This Court had several occasions to consider such cases, where writ petitions are filed long after the provisions contained in Sections 79A, 79B and 79C were omitted from the statute book in terms of the Karnataka Land Reforms (Second Amendment) Act, 2020. It is the consistent opinion of this Court that if at any rate, the Assistant Commissioner, after forfeiting the land has not disposed of the same in



accordance with law then the benefit of the saving clause contained in Section 12 of the Amending Act is required to be given to such petitioners. The Assistant Commissioner is therefore, required to ascertain, whether the declared excess lands or forfeited lands still remain with the State Government or has been granted to third parties. If the lands have been granted to third party, then sub-section(1) of Section 12 of the amending Act will apply to say that the proceedings have reached finality. Or otherwise, sub-section (2) of Section 12 of the Amending Act will apply and all further proceedings shall be declared as abated by the Assistant Commissioner."

7. In that view of the matter, I am of the view that, the matter requires reconsideration by the Karnataka Appellate Tribunal in the light of the observation made by this Court and take decision in the matter after verifying the original records.

8. Accordingly, I pass the following:

ORDER

(i) The Writ Petition is allowed.

(ii) The Order dated 20.01.2025 in Rev. Appeal No.438/2022, is accordingly, set aside. Matter is remitted to



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Karnataka Appellate Tribunal at Bengaluru, for fresh consideration in the light of the observation made above.

(iii) In order to expedite the proceedings, the parties are directed to appear before the Karnataka Appellate Tribunal on 20.07.2026 at 11.00 a.m.

**SD/-
(E.S.INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 66