



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 35258 OF 2025 (LR)

BETWEEN:

SMT. SAVITHA RAGAVENDRA KULKARNI
DAUGHTER OF RAGHAVENDRA RAO KULKARNI
AGED ABOUT 53 YEARS
RESIDING AT GUNDINAPALYA VILLAGE
HULIKUNTE POST, KORATAGERE TALUK
TUMKURU DISTRICT- 572 113

...PETITIONER

(BY SRI. ARUN KUMAR Y. H., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE VIDHAN SOUDHA
BENGALURU 560 001
2. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB DIVISION
DODDABALLAPURA- 560 097
3. THE TAHASILDAR
NELAMANGALA TALUK
NELAMANGALA-560 035

...RESPONDENTS

(BY SRI. V.SESHU, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH BY A WRIT OF CERTIORARI, OR ANY OTHER APPROPRIATE WRIT, OR ORDER OR DIRECTION IN THE NATURE OF A WRIT, THE ORDER DATED 16.04.2025 PASSED BY THE KARNATAKA ADMINISTRATIVE TRIBUNAL IN REV.APPEAL NO.296/2023, AS PER ANNEXURE -A., AND ETC.

Digitally signed
by JUANITA
THEJESWINI

Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned High Court Government Pleader takes notice
for all the respondents.

2. The petitioner is basically aggrieved by the order passed by the Assistant Commissioner and Competent Authority at Annexures - B dated 17.02.2017, whereby the Competent Authority, invoking powers conferred under Section 83 of the Karnataka Land Reforms Act and by invoking provisions contained in Sections 79A and 79B of the Act has declared the sale deed dated 21.09.2010 void. However, after the said provisions were deleted from the statute book pursuant to the Amendment Act of 2020, the petitioner had filed a writ petition before this Court in W.P. No. 20196 of 2021. This Court by order dated 16.11.2021, disposed of the writ petition directing the petitioner to approach the Karnataka Appellate



Tribunal. Accordingly, the petitioner filed an appeal before the Tribunal in Revision Appeal No. 296 of 2023. The Tribunal, although condoned the delay in filing the appeal, nevertheless dismissed the appeal on the ground that the appeal was not pending before the Tribunal as on the date when the Act was brought into force.

3. Learned counsel however submits that this Court has considered many such writ petitions where the orders passed by the Competent Authority have been considered having regard to the amended provision of the Act and deletion of Section 79A and B from the statute book. Learned counsel prays for similar orders.

4. 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.

5. Having considered the submission of the learned Counsels and on perusing the judgment of the co-ordinate Bench in W.P.No.7821/2021, this Court finds that facts and circumstances in both these matters are quite



similar and therefore, the benefit of the decision of the co-ordinate bench should also enure to the petitioner herein.

6. Accordingly, this Court proceeds to pass the following:

ORDER

- i) The writ petition is ***disposed of***.
- ii) The matter is remanded back to the respondent-Assistant Commissioner to consider the case of the petitioner including the consequences of the subsequent amendment brought to the provisions of Sections 79-A and 79-B of the Karnataka Land Reforms Act in Karnataka Amendment No.56 of 2020.
- iii) If revenue entries have been altered pursuant to the impugned order dated 17.02.2017, the same shall be restored in favour of the petitioner.
- iv) The petitioner shall appear before the respondent-Assistant Commissioner on



10.03.2026, without waiting for further notice from the Assistant Commissioner.

Ordered accordingly.

Learned High Court Government Pleader is permitted to file memo of appearance within a period of four weeks from today.

Sd/-
(R DEVDAS)
JUDGE

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List No.: 1 Sl No.: 17