NC: 2025:KHC:15909-DB
CCC No. 899 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2025

PRESENT

THE HON'BLE MR. N. V. ANJARIA, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

CCC NO. 899 OF 2024 (CIVIL)

BETWEEN:

1. SMT. PRABHA SHANKARA NARAYANA
W/O. SRI SHANKARA SEETHARAMA
AGED ABOUT 63 YEARS
R/AT No.380, SECOND FLOOR
SECOND MAIN, 3RD CROSS
HMT LAYOUT, ANANDANAGAR
BENGALURU - 560 024.

REPRESENTED BY HER GPA HOLDER
SRI R. RAMASWAMY
S/O. R. RAGHUPATHI
AGED ABOUT 69 YEARS
R/AT No.380, SECOND FLOOR
SECOND MAIN, 3RD CROSS
HMT LAYOUT, ANANDANAGAR
BENGALURU - 560 024.

…COMPLAINANT

(BY SRI M.C. VEERABHADRAIAH, ADVOCATE)

Digitally signed by CHAITHRA
Location: High Court of Karnataka

AND:

1. SRI JAYARAM N.,
COMMISSIONER
BENGALURU DEVELOPMENT AUTHORITY
KUMARA PARK WEST EXTENSION
T. CHOWDAIAH ROAD
BENGALURU - 560 020.

…ACCUSED

(BY SMT. S.S. LATHA, ADVOCATE FOR
SRI MURUGESH V. CHARATI, ADVOCATE)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURT ACT,1971 R/W ARTICLE 215 OF THE CONSTITUTION OF INDIA PRAYING TO INITIATE CONTEMPT PROCEEDING AGAINST THE ACCUSED FOR DELIBERATELY DISOBEYING THE ORDER DATED 05.02.2020 PASSED BY THE SINGLE JUDGE OF THE HON'BLE HIGH COURT OF KARNATAKA IN W.P.NO.25893/2017 (BDA) VIDE ANNEXURE-D AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE N. V. ANJARIA
and
HON'BLE MR JUSTICE K. V. ARAVIND

ORAL JUDGMENT

(PER: HON'BLE THE CHIEF JUSTICE MR. JUSTICE N. V. ANJARIA)

The present contempt petition is filed in respect of non-compliance of the directions of the order dated 05.02.2020 in Writ Petition No.25893 of 2017.

2. The directions reads as under,

> (i) The order of cancellation passed by the respondent-BDA in favour of the petitioner herein is hereby set aside.
>
> (ii) However since site No.806 has already been allotted in favour of the fifth respondent, the respondent-BDA is hereby directed to allot an alternative site to the petitioner in the same Layout as Site No.806 i.e., III Block Koramangala Bangalore, subject to availability. If a site is not available, then allotment of an alternative site in the nearby vicinity or in the Layout formed subsequently

> in the very same order, as the formation of Layouts shall be followed and a suitable alternative site shall be allotted to the petitioner. The consent of the petitioner shall be taken before allotment of the site.
>
> (iii) The entire exercise of allotment of site shall be completed within a period of three months from today.
>
> (iv) Since a doubt has been created in the mind of the respondent-authority, it is hereby directed that the petitioner herself shall be present while giving the consent for the site and for getting the possession certificate and sale deeds executed in her favour."

3. It may be stated that in the earlier Writ Petition No.55909 of 2015, the very subject matter was involved, which petition was disposed on 18.02.2016, whereby the representation of the petitioner was directed to be considered. Thereafter, the petitioner had to file Contempt Petition No.1183 of 2016. During this proceedings, endorsement dated 18.11.2016 was issued by the authorities.

3.1 Contempt petition was disposed of in view of the endorsement, reserving liberty to the complainant to challenge the same. Thereafter, Writ Petition No.25893 of 2017 was filed which culminated into the directions as above, in turn the said order is

brought under contempt. As stated above, the issue relates to allotment of site to the petitioner.

4. In the affidavit filed in the contempt proceedings, it is stated that Site No.13 in 1st block of Koramangala is vacant and that the same is not allotted to anyone.

4.1 The respondents filed the memo dated 26.03.2025 along with which the allotment letter dated 25.03.2025 issued by the Deputy Secretary-1 is produced which reflects that Site No.13 is allotted to the complainant-petitioner.

5. The above marks compliance of the directions. The contempt petition does not survive and it is accordingly disposed of.

Sd/-
(N. V. ANJARIA)
CHIEF JUSTICE

Sd/-
(K. V. ARAVIND)
JUDGE

CR
List No.: 1 Sl No.: 44