HC-KAR

NC: 2026:KHC:65387
WP No. 200 of 2022

CNR: KAHC010000562022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 200 OF 2022 (GM-KIADB)

BETWEEN:

1. SKF ENGINEERING AND LUBRICATION
INDIA PRIVATE LIMITED
(FORMERLY KNOWN AS LONCOLN
HELIOS (INDIA) LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 2013
HAVING ITS REGISTERED OFFICE AT
PLOT NO.249 AND 250
BOMMASANDRA INDUSTRIAL AREA, PHASE 3
HOSUR ROAD, BENGALURU - 560099
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
MS. KSHIPRA KHAIRNAR

...PETITIONER

(BY SRI. GAUTAMADITYA .S, ADVOCATE)

AND:

1. ASSISTANT SECRETARY
KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD
ZONAL OFFICE, KRS ROAD, METAGALLY
MYSORE – 570016.

2. THE SECRETARY
KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD
HEAD OFFICE, 4TH FLOOR,

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EAST WING
KANIJA BHAVANA, RACE COURSE ROAD
BENGALURU – 560011.

…RESPONDENTS

(BY SRI. GOPALA .B.V, ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE DEMAND LETTER DATED 19.11.2020 PRODUCED ALONG WITH THIS PETITION AT ANNEXURE-H; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

Captioned writ petition is filed by the petitioner assailing the demand letter bearing No.KIADB/MYS/Allot/ 19194/2905/2020-21 dated 19.11.2020, whereby the respondent-Karnataka Industrial Areas Development Board (KIADB) has determined the sale consideration payable by the petitioner. The petitioner contends that the demand so raised is exorbitant and contrary to the terms

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and conditions stipulated in the lease-cum-sale agreement.

2. Both learned counsel appearing for the parties fairly submit that the controversy involved in the present writ petition is no longer *res integra*, as the principal issue has been considered and adjudicated by a Co-ordinate Bench of this Court in ***W.P.No.17699/2021 and connected matters***. A copy of the judgment rendered in the said batch of writ petitions is also placed on record for consideration of this Court.

3. Learned counsel appearing for the petitioner fairly acknowledges that the principal controversy as to whether the sale consideration stipulated in the lease-cum-sale agreement was tentative in nature has been conclusively settled by the aforesaid judgment. He further concedes that the respondent-KIADB retains the discretion to re-determine the sale consideration, having regard to the fact that the price initially indicated in the lease-cum-sale

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agreement was only tentative. However, the limited grievance of the petitioner is that the respondent-KIADB may be directed to undertake the exercise of re-determining the sale consideration and issue a fresh demand notice expeditiously, thereby enabling the petitioner to remit the amount so determined and proceed to complete the transaction by obtaining the sale deed.

4. In the light of the submissions made by the learned counsel appearing for the petitioner and having regard to the law laid down by the Co-ordinate Bench in the aforesaid batch of writ petitions, this Court finds that the principal issue raised in the present petition stands concluded. The Co-ordinate Bench has categorically held that the price indicated in the lease-cum-sale agreement was only tentative in nature and that the respondent-KIADB retains the discretion to re-determine the sale consideration. In view of the said adjudication, this Court is not inclined to re-open the controversy or undertake any

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further examination of the challenge to the impugned demand letter. The petitioner, however, would be at liberty to seek re-determination of the sale consideration from the respondent-KIADB, in accordance with the law laid down in the aforesaid judgment.

5. For the foregoing reasons, this Court proceeds to pass the following;

ORDER

(i) The writ petition stands disposed of in terms of the judgment rendered by the Co-ordinate Bench of this Court in W.P.No.17699/2021 and connected matters.

(ii) Liberty is reserved to the petitioner to submit an appropriate representation to the respondent-KIADB seeking re-determination of the sale consideration.

(iii) If such a representation is submitted, the respondent-KIADB shall consider the same and undertake the

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exercise of re-determination of the sale consideration in accordance with law and the principles laid down in the aforesaid judgment, and issue a fresh demand notice expeditiously.

(iv) Upon such determination and issuance of a fresh demand notice, the petitioner shall be at liberty to remit the amount so determined and take consequential steps for completion of the transaction in accordance with law.

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SACHIN SHANKAR MAGADUM

(SACHIN SHANKAR MAGADUM)
JUDGE

NBM
List No.: 1 Sl No.: 1