IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT PETITION NO. 8308 OF 2026 (KLGP)

BETWEEN:

1. M/S WHITEFILED DEVELOPERS
A REGISTERED PARTNERSHIP FIRM,
HAVING ITS REGISTERED OFFICE AT
10TH FLOOR, COMMERCE HOUSE IV,
100 FT ROAD, BESIDE SHELL PETROL PUMP,
PRAHALADNAGAR, SATELLITE,
AHMEDABAD - 380015. GUJRAT.

ADDRESS SHOWN IN THE APPLICATION

M/S. WHITEFIELD DEVELOPERS,
UNIT NO. 206, 2ND FLOOR,
BARTON CENTRE, 84, M. G. ROAD,
BENGALURU 560001.
EMAIL BANSAL.BNG@GOYALCO.COM
MOB 919845211575
REP. BY VICE PRESIDENT
MR. PARICHAY BANSAL

...PETITIONER

(BY SRI. DHYAN CHINNAPPA, SENIOR ADVOCATE FOR
SRI. JITENDRA C P., ADVOCATE)

Digitally signed by VASANTHA KUMARY B K
Location: HIGH COURT OF KARNATAKA

AND:

1. MR JAGAN KUMAR J
S/O. SRI JAYARAMAN,
AGED ABOUT 45 YEARS,
NO. 302, S. S. SNOW DROP,

BELATHUR MEDAHALLI MAIN ROAD,
KUMBENA AGRAHARA,
KADUGODI POST,
BANGALORE - 560067.

2. THE TAHSILDAR,
K. R. PURAM, DIESEL LOCO SHED ROAD,
DURAVANI NAGAR,
KRISHNARAJAPURAM,
BENGALURU - 560036.

3. THE RANGE FOREST OFFICER,
K. R. PURAM RANGE,
13TH CROSS ROAD, BTM LAYOUT,
2ND STAGE, NEW MADIVALA LAKE,
BENGALURU - 560076.

…RESPONDENTS

(BY SRI. MOHAMMAD JAFFAR SHAH, AGA FOR R2 AND R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF PROHIBITION OR ANY OTHER WRIT, ORDER OR DIRECTION, DECLARING THAT THE KARNATAKA LAND GRABBING PROHIBITION SPECIAL COURT, BANGALORE HAS NO JURISDICTION TO REGISTER AND HEAR THE CASE REGISTERED AS L.G.C No. 733/2025 IN RESPECT OF SCHEDULE PROPERTIES ALLOTTED BY KIADB IN FAVOUR OF THE PETITIONER, ETC.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present writ petition has been filed impugning the proceedings pending before the Karnataka Land Grabbing Special Court, Bengaluru in LGC(P)No.733/2025 against the petitioners, as well as the order dated 12.11.2025 passed therein, whereby a temporary injunction was granted restraining the petitioner from carrying out any further construction, development activities, alienation, sale or transfer over the alleged Government land situated in Sy.No.1 of Kadugodi Plantation Village.

2. The brief facts which are relevant for the purpose of disposing of this writ petition are noted hereunder:

The subject land was initially allotted in favour of Ms/.BPL Electronics Limited and its subsidiary companies. Subsequently, BPL has been wound up under the aegis of this Court and its assets were liquidated. The petitioner had purchased 25 acres of land in Sy.Nos.1, 51, 52, 53, 54-Part, 55, 56 and 58 and other survey numbers of Kadugodi Plantation Village, in an auction conducted by the secured creditor with official liquidator. Consequently, a sale deed was executed by KIADB in

favour of the petitioner on 04.12.2025 (Annexure-M). The petitioner after getting their plan sanctioned by the KIADB is carrying on construction of commercial complex i.e, IT/ITES. While the construction was in full swing, respondent No.1 has filed a complaint before the Karnataka Land Grabbing Special Court in LGC(P)No.733/2025, in which the impugned order dated 12.11.2025, restraining the petitioners from carrying out further construction etc., has been passed.

3. The allegation in the complaint is that the land in question is forest and Government land and that the petitioner has unauthorizedly encroached upon the said land and are putting up unauthorized construction.

4. The issue whether these lands in question constitute forest land or it is not a forest land has already been finally decided in earlier proceedings that went up to the Supreme Court.

5. The learned Single Judge vide judgment and order dated 25.05.2012 passed in W.P.No.7200/2008 connected with W.P.Nos.29765-66/2009, held that the land in question was not State Forest under the Forest Rules, 1878 and the notification

issued under Regulation-23 declaring the said land as the forest land was held to be unsustainable. The submission of the State that it is a deemed forest under the provisions of Section 23 of the Karnataka Forest Act, 1963 was also rejected. The submission against the execution of lease deeds by the KIADB in respect of the said land were also repelled in the said judgment.

6. The said judgment and order was challenged by the State Authorities by filing the writ appeals. The Co-ordinate Bench of this Court dismissed the writ appeals and upheld the judgment and order dated 25.05.2012 passed by the learned Single Judge. The Division Bench went a step further, precluding the State Government from claiming that the land in question was forest land and after the notification was issued under the provisions of the KIAD Act for acquisition of the land and handing over the possession to KIADB. The Division Bench also held that the action initiated by the officials of the Forest Department and the State declaring the said land as a deemed forest was bad in law.

7. The Special Leave Petition filed before the Supreme Court vide SLP(Civil) Diary No.10430/2020 against the said judgment of the Division Bench came to be dismissed in *limine* vide order dated 19.11.2020.

8. The respondent No.1, despite service, has not put in appearance in this writ petition. The petitioner has paid the consideration for the land which it acquired through Court sale and the KIADB has executed lease-cum-sale deed in favour of the petitioner, as mentioned above. Once, it has been finally concluded that the land in question is neither forest land nor the Government land and the KIADB itself has executed the lease-cum-sale deed in favour of the petitioner, the petitioner cannot be said to have encroached upon the land in question, for which the complaint was filed by the respondent No.1.

10. In view of the aforesaid facts, we are of the view that the impugned proceedings in LGC(P) No.733/2025 are nothing but a gross abuse of the process of the Court and therefore, we cannot allow the process of the Court to be misused by respondent No.1. Therefore, the following:

ORDER

i. The writ petition is ***allowed***.

ii. The entire proceedings in LGC(P) No.733/2025 pending before the Karnataka Land Grabbing Prohibition Special Court, Bengaluru are quashed.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RKA
List No.: 2 Sl No.: 4