HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

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

WRIT APPEAL NO. 978 OF 2026 (LA-KIADB)

BETWEEN:

1. SRI. MOHAN,
S/O PAPA REDDY,
AGED ABOUT 64 YEARS,
RESIDENT OF 9,
BIDARAGUPPE POST,
TYAVAKANAHALLI VILLAGE,
BENGALURU - 562 107.

2. SRI M.N. BABU,
S/O.NARAYANAREDDY,
AGED ABOUT 47 YEARS,
R/OF S. MEDAHALLIVILLAGE,
BIDARAGUPPE POST,
ANEKAL TALUK,
SARJAPURA HOBLI,
BENGALURU - 562 107.

3. SRI. B. JAGADEESHA,
S/O.T.N BASAVARAJU,
AGED ABOUT 56 YEARS,

4. SRI. VISHWANATH. B,
S/O. T.N BASAVARAJU,
AGED ABOUT 55 YEARS,

5. SRI MAHADESH. B.,
S/O. T.N. BASAVARAJU,

Digitally signed by REKHA R
Location: High Court of Karnataka

AGED ABOUT 47 YEARS,

APPELLANTS NO.3 TO 5 ARE
RESIDING AT NO.24,
ATTIBELE-SARJAPURA ROAD,
TYAVAKANAHALLI VILLAGE,
BENGALURU - 562 107.

6. SRI. VENKATA REDDY,
S/O V. JAYARAMA REDDY,
AGED ABOUT 45 YEARS,

7. SMT. GEETHA.C,
W/O. VENKATA REDDY,
AGED ABOUT 31 YEARS,

APPELLANT NO. 6 AND 7 ARE
RESIDENTS OF S.MEDAHALLI VILLAGE,
BIDARAGUPPE POST,
ATTIBELE-SARJAPURA MAIN ROAD,
BENGALURU - 562 107.

…APPELLANTS

(BY SRI. RAJESWARA.P.N., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF INDUSTRIES
AND COMMERCE,
DR.B.R.AMBEDKAR BEEDI,
VIKASA SOUDHA,
BENGALURU - 560 001.
REPRESENTED BY
ADDITIONAL CHIEF SECRETARY.

2. THE KARNATAKA INDUSTRIAL
AREAS DEVELOPMENT BOARD,
IV AND V FLOORS, EAST WING,
KHANIJA BHAVAN,
RACE COURSE ROAD,
BENGALURU - 560 001.

REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER
AND EXECUTIVE MEMBER.

3. SPECIAL DEPUTY COMMISSIONER,
KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD,
IV AND V FLOORS, EAST WING,
KHANIJA BHAVAN,
RACE COURSE ROAD,
BENGALURU - 560 001.

4. THE SPECIAL LAND ACQUISITION
OFFICER - 2, KARNATAKA INDUSTRIAL
AREAS DEVELOPMENT BOARD,
MAHARSHI ARVIND BHAVAN,
1ST FLOOR, NRUPATHUNGA ROAD,
BENGALURU - 560 001.

…RESPONDENTS

(BY SRI. M.N. SUDEV HEGDE, AGA FOR R1,
SRI. B.B. PATIL, ADVOCATE FOR C/R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER DATED:08.01.2026 IN WP NO.1280/2025, PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN SO FAR AS REMITTING THE MATTER TO RESPONDENT NO.4 TO REDO THE PROCEEDINGS FROM THE STAGE OF SECTION 28(3) OF THE ACT AND CONSEQUENTLY, ALLOW WP NO.1280/2025 (LA-KIADB) AND ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

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

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

This appeal by the petitioners in W.P.No.1280/2025 challenging the order dated 08.01.2026 passed by the Writ Court vide common order along with other several Writ Petitions.

2. The parties are referred to as per their ranking before the Writ Court.

3. The petitioners have filed the Writ Petition seeking following relief:

> *"Issue a Writ of Certiorari to quash the Notifications bearing No.CI 58 SPQ 2024 dated 15.03.2024 issued under Sections 3(1), 1(3) and 28(1) of the KIAD Act, 1966 at Annexure-A to C issued by respondent No.1 and the Final Notification bearing No.CI 58 SPQ 2024 dated 02.12.2024 at Annexure-D issued by respondent No.1 in so far as the petitioners lands mentioned at Paragraph No.4 are concerned."*

4. The Writ Court vide common order dated 08.01.2026 passed the following order:

*"**ORDER***

(i) Writ Petitions are allowed in part.

(ii) Orders passed considering the objections under Section 28(3) of the Act stand quashed in all these cases. As a consequence, Final Notifications dated 03.10.2024 and 02.12.2024, issued by the 2nd respondent / Karnataka Industrial Areas Development Board under Section 28(4) of the Karnataka Industrial Areas Development Act, 1966 also stands quashed.

(iii) The matters are remitted back to the Special Land Acquisition Officer/respondent No.3 to redo the proceedings from the stage of Section 28(3) of the Act and take the issue to its logical conclusion.

(iv) The proceedings as directed now to be done afresh from the stage of Section 28(3) of the Act shall conclude within an outer limit of 8 weeks from the date of receipt of the copy of the order, if not earlier, bearing in mind the observations made in the course of the order."

5. The coordinate Bench of this court in W.A.No.657/2026 upon consideration of the rival contentions, disposed of the Writ Appeal challenging the

very same common order passed in W.P.No.33550/2024, which reads as under:

"***ORAL JUDGMENT***

This Writ appeal is by the petitioner in W.P.No.33550/2024 challenging the order dated 08.01.2026 passed by the learned Single Judge of this Court.

2. The learned Single Judge under the impugned order partly allowed the Writ Petition, and remanded the matter to the Special Land Acquisition Officer ('SLAO' for short) to consider the objections under Section 28(3) of Karnataka Industrial Area Development Board Act, 1966 ('KIADB Act' for short) and pass orders thereon and quashed the Final Notification issued under Section 28(4) of the KIADB Act.

3. The parties are referred to as per their rankings before the Writ Court.

4. Heard, Sri.Dhyan Chinnappa., learned Senior counsel appearing for the Advocate on record, Sri.G.S.Aruna, learned HCGP appearing for respondent No.1 and Sri.K.Shashi Kiran Shetty., learned Senior counsel for KIADB.

5. The only argument advanced by Sri Dhyan Chinnappa is that the Writ Court while remanding the matter has interpreted two circulars on which the entire case of the petitioners rests and the same is against the

order passed by the co-ordinate bench of this Court in Writ Appeal Nos.461/2016 and 39/2024. In the event the SLAO to consider the objections, the said interpretation by the Writ Court would be binding on the SLAO and prejudice the case of the petitioner.

6. In response, Sri.Shashi Kiran Shetty., learned Senior counsel submits that the Court may direct the SLAO to consider the objections already filed and the additional objections, if any to be filed, without being influenced by the interpretation of the Circulars by the learned Single Judge and also in consonance with the judgment of the Hon'ble Divison Judge of this Court in W.A.Nos.461/2016 and 39/2024.

7. In view of the submission of learned Senior counsel Sri.Shashi Kiran Shetty., nothing survives further to consider the case of the appellants. In that view of the matter, while upholding the judgment of the writ Court, we observe that the SLAO has to consider the objections already filed and the additional objections if any to be filed independently without being influenced by the interpretation of the writ Court on the circulars, in accordance with the law.

8. The parties are at liberty to file additional objections and cite the judgments in support of their contentions within 10 days from today and the SLAO is directed to consider and pass reasoned order in accordance with law after providing opportunity of personal hearing, as expeditiously as possible within an

*outer limit of one month thereafter. The parties are directed to appear before the SLAO on **10.04.2026**.*

*9. With these observations, the Writ Appeal stands **disposed of**.*

6. Thereafter, this Court in other Writ Appeals challenging the very same common order disposed off the appeal in terms of the order passed in W.A.No.657/2026. In that view of the matter, this Writ Appeal is ***disposed of*** in terms of the order passed by this Court in W.A.No.657/2026. The parties are directed to appear before the SLAO on ***27.04.2026***.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

TKN
List No.: 1 Sl No.: 4
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