HC-KAR

NC: 2026:KHC:55229
WP No. 11922 of 2024

CNR: KAHC010248692024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 11922 OF 2024 (GM-KIADB)

BETWEEN:

1. M/S MAVERICK AND CO
   REPRESENTED BY ITS PROPRIETRESS
   MRS. VINAYA BYNDOOR
   D/O M G BYNDOOR
   AGED ABOUT 42 YEARS
   R/AT NO.220, 'PRITHVI'
   CFTRI HOUSING COLONY
   HIGH TENSION ROAD, BOGADI
   MYSURU-570 026

2. M/S. SUCHARA FOOD PRODUCTS
   REPRESENTED BY THE ITS PROPRIETOR
   SMT. SUDARSHINI H C
   W/O CHANDRAPPA G B
   AGED ABOUT 58 YEARS
   R/AT NO.15A/A, VASU LAYOUT
   RANGA RAO COLONY, K BLOCK
   RAMAKRISHNA NAGARA
   MYSURU-570 022

...PETITIONERS

(BY SRI: VARDHAMAN V GUNJAL, ADVOCATE)

Digitally signed by PAVITHRA B
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   REP. BY ITS SECRETARY
   COMMERCE AND INDUSTRIES DEPARTMENT
   M.S.BUILDING, BANGALORE-560 001

2. KARNATAKA INDUSTRIAL AREAS
   DEVELOPMENT BOARD
   REP. BY ITS CHIEF EXECUTIVE OFFICER/
   EXECUTIVE MEMBER
   NO.49, 4TH AND 5TH FLOORS
   'EAST WING', KAHNIJA BHAVAN
   RACE COURSE ROAD, BENGALURU-560 001

3. KARNATAKA INDUSTRIAL AREAS
   DEVELOPMENT BOARD
   REP. BY ITS ASSISTANT EXECUTIVE ENGINEER
   MYSORE ZONAL OFFICE
   KRS ROAD, METAGULLY
   MYSORE-570 016

…RESPONDENTS

(BY SRI: M SRINIVAS KUMAR, HCGP FOR R1;
SRI: P V CHANDRASHEKAR, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO EXECUTE THE LEASE CUM SALE AGREEMENT AND POSSESSION CERTIFICATE WITH RESPECT TO IN CASE OF THE PETITIONER NO.1, AT PLOT NO.14 (CORNER) OR WOMENS ENTERPRENEURS PARK-PHASE-1, AT THANDYA 2ND PHASE INDUSTRIAL AREA, NANJANGUD TALUK MYSURU DISTRICT AND ETC.

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

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

CNR: KAHC010248692024

ORAL ORDER

Learned counsel for the petitioners and respondent Nos.2 and 3 submits that insofar as petitioner No.2 is concerned, the lease-cum-sale agreement in terms of the originally allotted plot has already been executed and therefore, the prayer insofar as petitioner No.2 is concerned, does not survive.

2. Insofar as petitioner No.1 is concerned, both the learned counsels jointly submits that considering the request of petitioner No.1, an alternate industrial plot bearing Nos.83 and 79 at Women Entrepreneurs Park, Phase 1, Thandya, 2nd Phase, Industrial Area, Nanjanagudu, Mysuru has been allotted on 07.04.2026, in lieu of the industrial plot No.14, which was allotted earlier in the same industrial area.

3. It is the submission of both the learned counsels that the measurement of the originally allotted industrial plot No.14 (corner) measures 2331.00 square meters. However, the alternate plot referred to supra measures 1907.50 square meters. In view of the difference (reduction) in measurement of the plot allotted, respondent Nos.2 and 3 have also taken a

decision to refund the value of difference of the area in a sum of Rs.14,76,468/- and the process of refund is under way.

4. Learned counsel for the petitioner submits that the petitioner is entitle for interest on the amount proposed to be refunded, since the amount is in the hand of respondent Nos.2 and 3 from the date of deposit.

5. Learned counsel for respondent Nos.2 and 3 opposes the said submission.

6. On hearing the submission as regards the interest is concerned, this Court is of the opinion that the petitioner will have to be compensated by directing respondent Nos.2 and 3 to pay interest @ 6% per annum, as the petitioner is accepting the lesser area of plot and refund of value of the difference in the area.

7. In light of the aforesaid subsequent developments, the following:

ORDER

(i) Writ Petition is ***disposed of.***

(ii) Respondent Nos.2 and 3 to complete the process of execution of lease-cum-sale agreement in respect of alternative plot Nos. 83 and 79 at Women Entrepreneurs Park, Phase 1, Thandya, 2nd Phase, Industrial Area, Nanjanagudu, Mysuru, in favour of petitioner No.1 within a period of two months from the date of receipt of certified copy of the order.

(iii) The refund of excess amount/difference amount of Rs.14,76,468/- shall be made along with interest at 6% per annum from the date of deposit till the date of refund, within eight weeks.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

BGN
List No.: 1 Sl No.: 18