HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 11475 OF 2026 (LA-KIADB)

BETWEEN:

1. SHRI S GOPALA
   S/O. NARAYANAPPA
   AGED 58 YEARS
   R/AT MINDAHALLI VILLAGE
   BHAVANAHALLI POST
   MALUR TALUK,
   KOLAR DISTRICT-563 130

... PETITIONER

(BY SRI. RAVI SHANKAR K., ADVOCATE)

AND:

Digitally signed by VIDYA G R
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
   DEPARTMENT OF COMMERCE AND INDUSTRIES
   VIKASA SOUDHA
   BANGALORE-560 001
   BY ITS SECRETARY

2. THE KARNATAKA INDUSTRIAL AREA
   DEVELOPMENT BOARD
   EAST WING, KHANIJA BHAVAN
   BANGALORE-560 001
   REPRESENTED BY ITS
   CHIEF EXECUTIVE OFFICER AND
   EXECUTIVE MEMBER

3. THE SPECIAL LAND ACQUISITION OFFICER-1
THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
NO.14/1, ARVINDA BHAVAN,
NRUPATHUNGA ROAD,
BENGALURU-560 001

… RESPONDENTS

(BY SRI. P.V. CHANDRASHEKAR, ADVOCATE FOR R2 AND R3;
SRI HARISH A.S., AGA FOR R1)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I) ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING THE GENERAL AWARDS DATED 22-09-2017 BEARING NO. KIADB/LAQ: 2017-18 VIDE ANNEXURE-A PASSED BY THE THIRD RESPONDENT AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

Learned Additional Government Advocate accepts notice of respondent No.1. Learned counsel Sri P.V. Chandrashekar accepts notice for respondent Nos.2 and 3.

The matter is taken up for disposal by consent.

2. The present petition has been filed seeking for issuance of writ of certiorari to set aside the General

Award passed on 22.09.2017 insofar as the property of the petitioner and consider the case of the petitioner in terms of Section 29(2) of the Karnataka Industrial Areas Development Act, 1966 (for short KIAD Act) and to pass a consent Award.

3. The case of the petitioner is that he was willing for a consent Award and accordingly, the question of passing of General Award does not arise.

4. Learned counsel for the respondent - Karnataka Industrial Area Development Board (KIADB) submits that the petition itself could be disposed of while setting aside the General Award insofar as the petitioner is concerned and the respondent - Special Land Acquisition Officer, KIADB would consider the request of the petitioner and pass a consent Award as per law.

5. In light of the said stand, taking note of the directions passed in W.P.No.15026/2021, the petition is disposed of as follows:-

(i) The petition is allowed.

(ii) The impugned General Award at Annexure-'A' dated 22.09.2017 insofar as the petitioner's land is concerned, is set aside.

(iii) Respondent No.3 is directed to consider the claim of the petitioner for passing of consent award and pass a consent award in terms of Section 29(2) of the KIAD Act, within a period of four months from the date of receipt of copy of this order.

6. It is made clear that, in the event, if there is any dispute with regard to entitlement and apportionment of the award amount, the general award at Annexure-A would stand revived.

7. Liberty is reserved to the Special Land Acquisition Officer, KIADB to withdraw the amount, if deposited before the Civil Court pursuant to the general award.

8. Accordingly, the petition is ***disposed of*** in terms of the above.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VGR