NC: 2026:KHC:6594
WP No. 39565 of 2025

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 39565 OF 2025 (LB-BMP)

BETWEEN:

1. SRI SHAILESH KUMAR
S/O B JAVER CHAND JAIN,
AGED ABOUT 37 YEARS,
R/A NO 5, GARLA REGENCY,
WEST CIRCLE ROAD,
SAJJANRAO CIRCLE, V V PURAM,
BENGALURU-560004.

…PETITIONER

(BY SRI. RAVISHANKAR G.S., ADVOCATE)

AND:

Digitally signed by SHWETHA RAGHAVENDRA
Location: HIGH COURT OF KARNATAKA

1. GREATER BENGALURU AUTHORITY (GBA)
BRUHAT BENGALURU MAHANAGARA PALIKE (BBMP) /
N.R. SQUARE, BANGALORE - 560 002,
REP. BY ITS CHIEF COMMISSIONER.

2. THE ASSISTANT DIRECTOR
OF TOWN PLANNING (CENTRAL ZONE, BENGALURU)
9TH MAIN RD, 2ND BLOCK, JAYA NAGAR EAST,
JAYANAGAR – BENGALURU-560011.

3. THE ZONAL COMMISSIONER, BBMP
BENGALURU CENTRAL ZONE 9TH MAIN RD,
2ND BLOCK, JAYA NAGAR EAST,

JAYANAGAR – BENGALURU-560011.

…RESPONDENTS

(BY SMT. SUMANGALA GURUDEV GACHCHINAMATH, ADVOCATE FOR R1 TO R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE RESPONDENT BBMP AUTHORITIES, THEIR OFFICERS, AGENTS, AND SUBORDINATES TO NOT PRECIPITATE, ISSUE FURTHER THREATS, OR TAKE ANY COERCIVE ACTION, INCLUDING DEMOLITION, AGAINST THE SCHEDULE PROPERTY UNTIL THE STATUTORY APPEAL FILED BY THE PETITIONER BEFORE THE BBMP / GBA CHIEF COMMISSIONER (RESPONDENT NO. 1) UNDER SECTION 253 OF THE BBMP ACT, 2020 APPEAL NO.273/2025 (ANNEXURE 'A TO A2'), IS TAKEN UP FOR ADMISSION AND DISPOSED OF IN ACCORDANCE WITH LAW.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

> *A. Issue a Writ of Mandamus or any other appropriate Writ, directing the Respondent BBMP Authorities, their officers, agents, and subordinates to not precipitate, issue further threats, or take any coercive action, including demolition, against the Schedule Property until the statutory appeal filed*

by the Petitioner before the BBMP / GBA Chief Commissioner (Respondent No. 1) under Section 253 of the BBMP Act, 2020 Appeal No.273/2025 Annexure 'A to A2' is taken up for admission and disposed of in accordance with law. In so far as petitioner concerned.

B. Pass such other orders as this Hon'ble Court deems fit in the interest of justice and equity.

2. An affidavit of the Chief Commissioner of the Greater Bengaluru Authority has been filed.

3. A perusal of the said affidavit indicates that it is now the Chief Commissioner of the Greater Bengaluru Authority who will be the appellate authority for all the Regional Corporations insofar as proceedings under Section 253 of the erstwhile BBMP Act is concerned, now under Section 250 of the Greater Bengaluru Governance Act, 2024 (for short, 'GBGA').

4. In the affidavit, it is stated that the appeals are listed once a week so as to make it convenient for the parties, advocates and the concerned officers to attend to those proceedings and sometimes there is a delay in disposal of the proceedings since records

from the concerned officers, service of notice on parties etc. is required to be made. The said submissions are taken on record.

5. Insofar as receipt of records are concerned, the records being internal records of the BBMP, it is required that the Special Commissioner (IT) of the BBMP to implement a system such that once an appeal is filed, all the documents pertaining to that particular file are electronically sourced from their respective departments without requirement of physical sourcing of such documents so as to enable the early disposal of the proceedings. If possible, a paperless system for filing and disposal of the appeals could also be established such that all documents are sourced by using APIs or the like more so when all the documents are available in the database of the GBA itself.

6. Insofar as the case of the petitioner is concerned, it is submitted that the matter was taken up for hearing on 31.1.2026. However, the counsel for the petitioner submits that no interim order was granted on that date.

7. In that view of the matter, I pass the following:

ORDER

i) The Writ petition is ***partly allowed***.

ii) Respondent no.1 is directed to consider the appeal filed by the petitioner in Appeal No.273/2025 and pass necessary orders thereon after hearing all the concerned after following the due procedure.

iii) Until the disposal of Appeal No.273/2025, the respondents are restrained from taking any coercive steps against the petitioner.

iv) Though the petition is ***disposed*** for the Special Commissioner (IT) to file its compliance with the above directions, relist on **25.03.2026**.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

PRS / List No.: 1 Sl No.: 55