

DATED THIS THE 28TH DAY OF JULY 1998

THE HON'BLE MR JUSTICE A.J. SADASHIVA

BETWEEN:

- All are residing at:
Govindapura,
Arabic College Post;
Bangalore-560 045

PETITIONERS

[By Sri.B. Aswathaiah, adv.for petitioner]

AND :

1. The State of Karnataka,
Represented by its Secretary
to Government,
Dept. of Revenue,
Multistoried Building,
Dr. Ambedkar Veedhi,
Bangalore-560 001.
2. The Special Deputy Commissioner,
Bangalore District, Bangalore.
3. The Special Land Acquisition Officer,
Podium Block,
Vishweshwaraya Tower,
Dr. Ambedkar Veedhi,
Bangalore-560 001.

...RESPONDENTS CONTD.

4. M/s The Vyalikaval House Building
Co-op.Society,
No.100, 11th Cross,
6th Main Road, Malleshwaram,
Bangalore-560 003. ... RESPONDENTS

[By Sri.K.H. Jagadish, HCGA for R1 to R3,
Sri.S. Shivaswamy, Adv.for R4]

This Memorandum of Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to quash the preliminary notification bearing No.LAC [1] LR 455 of 1984-85 dated 22.12.94, 3.1.85 and published in the Karnataka Gazette dated 4.1.85 and issued by the 2nd respondent which is marked as Annexure-C; to quash the final notification bearing No.RD 183 AQB 82 dated 21.2.86 and published in the Karnataka Gazette dated 24.2.86 and issued by the 1st respondent which is marked as Annexure-D; and to prohibit the respondents and their subordinates from trespassing the land bearing S.No.34/1 measuring 1 A 22 Guntas of Nagavara village, Bangalore North Taluk.

The petition coming on for hearing this day, the court made the following order:

ORDER

This petition is covered by the decision of this court in W.P.Nos.6421 to 428/1994 and connected petitions decided on February 18, 1997. The very notifications impugned in this petition were impugned in the aforesaid petitions.

2. Following the aforesaid decision and for the very reasons recorded therein, this petition is allowed. The impugned notifications dated December 22, 1994 and February 24, 1986 are hereby quashed in so far as they relate to the land of the petitioners.

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3. In the circumstances of the case there is no order as to costs.

4. Sri.K.H. Jagadish, learned HCGA is permitted to file memo of appearance within four weeks.

Sd/-
JUDGE



sub.

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