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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 2008

BEFORE

THE HON'BLE MR. JUSTICE ASHOK B. HINCHIGERI

WRIT PETITION NO.17220 OF 2007 (LA-UDA)

PLAINTIFFS:

1. SRI B.H.SHIVA PRASAD
S/O LATE SRI BHANUMANTHAPPA
AGED ABOUT 44 YEARS
NO.1842, 40TH "A" CROSS
9TH BLOCK, JAYANAGAR
BANGALORE-560 010.
2. SRI H.N.PRAKASH
S/O LATE SRI H.K.NAGARAJA SHETTY
AGED ABOUT 44 YEARS
FLAT NO.001, GREEN CASTEL
NO.40, A.S.M.RODAD, ULSOOR
BANGALORE-560 042. ... PETITIONERS

(BY SRI:H.KANTHA RAJA, ADV.,)

AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
M.S.BUILDING
BANGALORE-560 001.
2. MYSORE URBAN DEVELOPMENT AUTHORITY
BY ITS COMMISSIONER
MYSORE-570 001.

3. THE SPECIAL LAND ACQUISITION OFFICER
MYSORE URBAN DEVELOPMENT
AUTHORITY
MYSORE-570 001. ... RESPO

... RESPONDENTS

(BY: SRI R.B.SATHYANARAYANA SINGH, HCGP, FOR R-1
SRI P.S.MANJUNATH, ADV., FOR R-2 & R-3)

THIS WRIT PETITION FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE UTILIZATION OF SITES BEARING NO.25 AND 30 OF THE PETITIONERS 1 AND 2 RESPECTIVELY FORMED OUT OF SY.NO.101/3 OF ALANAHALLI VILLAGE OF KASABA HOBLI, MYSORE TALUK FOR THE FORMATION OF EASTERN SIDE OUTER RING ROAD IN MYSORE, BY ISSUING A WRIT OF CERTIORARI AS ILLEGAL AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Sri Kantharaj, the learned counsel for the petitioners and Sri P.S.Manjunath, the learned counsel appearing for the respondents No.2 and 3 fairly submit that the matter is squarely covered by the order, dated 7.8.2007 passed by this Court in Writ Petition No.1685/2006 and connected petitions. This petition is also disposed of in terms of the aforesaid order with the following directions:

A.B.H.

i) Respondents 2 and 3 shall pay compensation to the petitioners at the rate of Rs.110/- per sq.ft. for the sites of the petitioners which are utilised for forming the ring road within six months from today and obtain registered sale deeds in respect of the utilised sites of the petitioners.

ii) Respondent No.2 shall allot sites to the petitioners of equal dimension of the sites belonging to the petitioners which they have utilised for the formation of the road within six months from today, on payment of 50% of the cost of such site.

iii) Liberty is reserved to the petitioners to move the Court in case there is default committed by the petitioners within the stipulated period.

Sd/-
JUDGE

VGR

