

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28<sup>TH</sup> DAY OF JUNE 2013

PRESENT

THE HON'BLE MR.JUSTICE K.L.MANJUNATH

AND

THE HON'BLE MR. JUSTICE L. NARAYANA SWAMY

**WRIT APPEAL NO.2912 OF 2012 (BDA)**

BETWEEN:

1. SRI V S NARASIMHA MURTHY  
S/O LATE SINGAIAH  
AGED ABOUT 66 YEARS
2. SMT. PUSHPAVATHI  
W/O CHANDRASHEKAR,  
D/O SRI V.S. NARASIMHA MURTHY  
AGED ABOUT 38 YEARS
3. SRI V.N. HARISHA  
S/O SRI V.S. NARASIMHA MURTHY  
AGED ABOUT 36 YEARS
4. SMT. BHAGYA N  
W/O DINESH BABU  
D/O SRI V.S. NARASIMHA MURTHY  
AGED ABOUT 34 YEARS
5. SMT. SHOBA  
W/O NARASIMHA MURTHY  
D/O SRI V.S. NARASIMHA MURTHY  
AGED ABOUT 32 YEARS

ALL ARE RESIDING AT  
NO.360, (OLD 5TH MAIN ROAD),  
NEW 32ND MAIN ROAD,  
BANASHANKARI (OLD I STAGE)  
NEW IIIRD STAGE,  
BANGALORE-560085

...APPELLANTS

(BY SHRI B.K.CHANDRASHEKAR & N.KEMPEGOWDA FOR  
M/S.ACC ASSTS., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA  
REPRESENTED BY ITS SECRETARY  
DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT,  
M.S. BUILDING, DR. AMBEDKAR VEEDHI  
BANGALORE-1
2. THE CHAIRMAN  
BANGALORE DEVELOPMENT AUTHORITY  
SANKEY ROAD, BLOCK-12,  
KUMARAK PARK WEST EXTENSION  
BANGALORE-20
3. THE COMMISSIONER  
BANGALORE DEVELOPMENT AUTHORITY  
SANKEY ROAD, BLOCK-12,  
KUMARAK PARK WEST EXTENSION  
BANGALORE-20

...RESPONDENTS

(BY SHRI M.KESHAVAL REDDY, AGA FOR R1,  
SHRI K.KRISHNA, ADV. FOR R2 & R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN THE WRIT PETITION NO.2988/2010(BDA) DATED 30/03/2012.

THIS WRIT APPEAL COMING ON FOR PRELIMINARY HEARING THIS DAY, **MANJUNATH J.**, DELIVERED THE FOLLOWING:

**JUDGEMENT**

Shri K. Krishna, the learned counsel is directed to take notice for respondents No.2 and 3. The learned Government Advocate is directed to take notice for respondent No.2.

2. These appeals are filed aggrieved by the order of dismissal passed in writ petition No.2988 of 2010 dated 30<sup>th</sup> March 2012. After arguing the matter at length, the learned counsel for the appellant submits that the appellants may be permitted to withdraw this appeal as well as Writ Petition No.2988 of 2010 with liberty to avail other remedies open to them.

3. In view of the submission, the appeal as well as the Writ Petition No.2988 of 2010 are dismissed as withdrawn. It is

always open for the appellants to avail other remedies, if available, in the eye of law.

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

Inn