

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28TH 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.KESHAHA 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 30th 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 In view of the submission, the appeal as well as the Writ Petition No.2988 of 2010 are dismissed as withdrawn.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