

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 30TH DAY OF NOVEMBER, 2015

BEFORE

THE HON'BLE MR.JUSTICE RAM MOHAN REDDY

WRIT PETITION NO.36258/2015(KLR-CON)

BETWEEN :

MR. PRAKASH K. SRIVASTAVA
SON OF MR.K.SRIVASTAVA,
AGED ABOUT 48 YEARS,
NO.63, 1ST MAIN ROAD,
SESHADRIPURAM,
BANGALORE-560020.

... PETITIONER

(BY SRI SURAJ GOVINDA RAJ AND
SRI ANUP S. SHAH, ADVOCATES)

AND

1. DEPUTY COMMISSIONER
BANGALORE DISTRICT,
BANGALORE – 560 001.

2. TAHSILDHAR
BANGALORE NORTH TALUK,
BANGALORE -560 001.

... RESPONDENTS

(BY SRI H.VENKATESH DODDERI, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
& 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER DTD. 30.6.2015, PASSED
BY THE R-1 MARKED AS ANNEX-A REFUSING TO
CONSIDER THE APPLICATION DTD.29.1.2015 FILED BY

THE PETITIONER SEEKING FOR CONVERSION OF THE SCHEDULE PROPERTY FROM AGRICULTURAL TO NON-AGRICULTURAL COMMERCIAL USE.

THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Apparently the order of the Deputy Commissioner rejecting petitioner's application under Section 95 of the Karnataka Land Revenue Act, 1964, for short 'KLR Act' , for permission to divert the use of agricultural land to non-agricultural purposes, as aired by the learned counsel for the petitioner, can be questioned in a statutory appeal under Section 49(C) of the said Act before the Karnataka Appellate Tribunal which is an alternative and efficacious remedy. In that view of the matter, petition rejected serving such liberty.

**Sd/-
JUDGE**

ln.