

**IN THE HIGH COURT OF KARNATAKA, BENGALURU**

**DATED THIS THE 30<sup>TH</sup> 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, 1<sup>ST</sup> 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 ANNX-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:

**O R D E R**

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.