

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

Dated this the 31<sup>st</sup> day of March, 2016

**PRESENT:**

**THE HON'BLE MR SUBHRO KAMAL MUKHERJEE,  
CHIEF JUSTICE**

**AND**

**THE HON'BLE MR JUSTICE RAVI MALIMATH**

Writ Appeal No. 2547 of 2015 (SC/ST)

**BETWEEN:**

MANJAPPA  
S/O NAGENDRAPPA  
AGED ABOUT 46 YEARS  
R/O THUGGALAHALLI VILLAGE  
SORATUR POST  
HONNALI TALUK,  
DAVANAGERE DISTRICT-577 001                      ...                      APPELLANT

[Sri J D Kashinath, Advocate]

**AND:**

1. K A SHIVANAGOWDA  
S/O LATE SIDDAPPA  
AGED ABOUT 56 YEARS  
AGRICULTURIST  
R/O: KENCHIKOPPA VILLAGE  
HONNALLI TALUK  
DAVANAGERE DISTRICT-577 001
2. THE DEPUTY COMMISSIONER  
DAVANAGERE DISTRICT  
DAVANAGERE-577 001
3. THE ASSISTANT COMMISSIONER  
DAVANAGERE SUB-DIVISION  
DAVANAGERE DISTRICT-577 001.

4. THE TAHASILDAR  
HONNALI TALUK  
HONNALI  
DAVANAGERE DISTRICT-577 001 .. RESPONDENTS

[Ms Niloufer Akbar, AGA for R-2 to 4]

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER PASSED IN THE WRIT PETITION NO. 6138 OF 2015 DATED JULY 28, 2015 AND ETC.

THIS APPEAL COMING ON FOR PRELIMINARY HEARING, THIS DAY, **THE CHIEF JUSTICE** DELIVERED THE FOLLOWING:-

## **J U D G M E N T**

This is an appeal against the judgment and order dated July 28, 2015, passed by a Hon'ble Single Judge in Writ Petition No 6138 of 2015.

2. By the order impugned, the Hon'ble Single Judge granted stay of the operation of the order passed by the original authority during the pendency of the appeal before the Deputy Commissioner.

3. When a serious legal consequence is involved, the appellate court, during the pendency of the appeal, must grant stay of the order impugned.

4. We, therefore, do not find any merit in this appeal warranting interference.

5. However, the Deputy Commissioner concerned is directed to dispose of the appeal within one month from the date of receipt of communication of this order.

6. There will be no order as to costs.

**Sd/-  
CHIEF JUSTICE**

**Sd/-  
JUDGE**

\*pjk