

The Commissioner vs the Assistant Commissioner

The Commissioner vs the Assistant Commissioner

SooperKanoon Citation : sooperkanoon.com/1583515

Court : Karnataka Orders

Decided On : Feb-02-2026

Judge : S.R.Krishna Kumar

Appeal No. : WP/39800/2025

Appellant : The Commissioner

Respondent : The Assistant Commissioner

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2026 BEFORE THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 39800 OF 2025 (GM-CPC) BETWEEN: THE COMMISSIONER CITY MUNICIPAL COUNCIL, NANJANGUD TOWN, NANJANGUD, MYSURU DISTRICT - 571 301. PETITIONER (BY SRI. P MAHESHA.,ADVOCATE) AND:

1. THE ASSISTANT COMMISSIONER SPECIAL LAND ACQUISITION OFFICER, MYSURU SUB-DIVISION, DISTRICT OFFICE BUILDING, CHAMARAJAPURAM, MYSURU 570 005.

2. THE EXECUTIVE ENGINEER

Digitally signed by URBAN WATER SUPPLY AND SHARADAVANI B SEWERAGE BOARD. NO. P4, Location: High Court of JALABHAVAN, 3RD FLOOR, Karnataka 10TH MAIN, 3RD CROSS, SARASWATHIPURAM, MYSORE 570 009.

3. SRI. RANGANAYAKA

S/O PUTTANAYAKA, AGED ABOUT 72 YEARS, SUTTUR VILLAGE, BILIGERE HOBLI, NANJANGUD TALUK - 571 129. RESPONDENTS (BY SRI.NEELAKANTAPPA K. PUJAR, HCGP FOR R1) -2- THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SETTING ASIDE PETITIONER IN LAC NO. 47/2018 AND EXECUTION NO. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned HCGP appearing for Respondent No.1.

2. In this petition, petitioner seeks the following reliefs: i) Issue writ of certiorari by setting aside petitioner in LAC No.47/2018 and Execution No.325/2025 on the file of Prl.District and Sessions

ii) Issue writ of mandamus directing the first respondent authority to release the compensation for the land acquired by them for the benefit of the Suttur Gram Panchayath. -3- iii) Pleased to pass any other order or direction this Hon'ble Court feels deem fit under these circumstances of the case in the interest of justice and equity.

3. After arguing the matter for sometime, learned

counsel for the petitioner-City Municipal Council, Nanjangud seeks permission to withdraw the present petition with liberty to file objections before the Executing Court and contest the execution proceedings on merits and in accordance with law.

4. Submission is placed on record. Petition stands

disposed of as withdrawn, reserving liberty in favour of the petitioner to urge all contentions including the contentions urged in the present petition before the Executing Court, which is hereby directed to consider the contentions, objections, defences, etc., putforth by the petitioner and proceed further and dispose of the execution proceedings, in accordance with law. -4-

5. Subject to the aforesaid directions and liberty reserved in favour of the petitioner, petition stands disposed of. Sd/- (S.R.KRISHNA KUMAR) JUDGE DH
List No.: 1 Sl No.: 19

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com