

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
MISCELLANEOUS APPLICATION NOS. 1614-1616 OF 2019  
IN  
CIVIL APPEAL NOS. 7661-7663 OF 2018

BANGALORE DEVELOPMENT AUTHORITY & ANR.

APPELLANT(S)

VERSUS

STATE OF KARNATAKA & ORS.

RESPONDENT(S)

**O R D E R**

These proceedings pursuant to the judgment of this Court dated 03.08.2018 have remained pending. By the order dated 03.12.2020, a committee headed by Mr. Justice A.V. Chandrashekar, former Judge of the Karnataka High Court, with Mr. Jayakar Jerome, former Commissioner, Bangalore Development Authority<sup>1</sup> and Mr. S.T. Ramesh, former Director General of Police, as its members, was appointed.<sup>2</sup> The Committee has been submitting its reports from time to time. The Committee's tenure ends on 31.12.2023.

Mr. Justice A.V. Chandrashekar has recommended that the Committee be disbanded, as it has completed the task assigned by this Court. The members of the Committee, namely, Mr. Jayakar Jerome and Mr. S.T. Ramesh, have stated that the Committee should continue for another six months.

We are of the opinion that the present proceedings should be transferred to the High Court of Karnataka, at Bengaluru<sup>3</sup>. Whether

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1 For short, "BDA".

2 For short, "Committee".

3 For short, "High Court".

or not the term of the Committee should be extended, as well as, the question of composition of the Committee, will be examined by the High Court.

The entire records of the present proceedings including all the applications, reports submitted by the Committee till date, and the orders passed thereon, will be sent to the High Court. An electronic/shadow file will, however, be maintained in this Court. The High Court will examine the latest reports filed by the Committee, that is, the 31<sup>st</sup> Report and the 32<sup>nd</sup> Report and pass appropriate orders.

The physical records will be transferred to the BDA, after storing an e-copy/set on cloud. The credentials/details to access such e-copy shall be given to the authorized officers of BDA. The BDA will make a copy of the cloud records and store this one set on its server/cloud facility, as available with it. The original e-set will not be altered, modified or tampered.

Any person/entity, including the BDA, having an objection or issue arising from any reports of the Committee, may move an application before the High Court. The High Court will be entitled to decide all the pending issues and applications including the application(s) challenging any of the decisions taken by the Committee, or a subject matter of its reports.

However, in case there is any specific order or direction regarding a particular property, passed by this Court, applications regarding the same will be entertained by this Court.

Any person aggrieved by any order passed by the High Court will be entitled to approach this Court.

All interim orders passed by this Court with regard to transfer or retaining of the officers are hereby recalled.

Learned Advocate General for the State of Karnataka has drawn our attention to paragraph 23 of the order dated 20.01.2022, and submits that the State would like to pay additional compensation over and above the compensation payable under the Land Acquisition Act, 1894<sup>4</sup>. Accordingly, the direction may be modified. We make no comments in this regard. It will be open to the State to move an appropriate application before the High Court indicating grounds and justification. The prayer will be considered in accordance with law.

Pending miscellaneous applications are also transferred.

We would request the Chief Justice of the High Court to nominate a Bench to deal with the cases arising out of the judgment dated 03.08.2018 and the order dated 03.12.2020.

Recording the aforesaid, the miscellaneous applications are disposed of.

.....J.  
(SANJIV KHANNA)

.....J.  
(S.V.N. BHATTI)

NEW DELHI;  
DECEMBER 12, 2023.

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4 For short, "the 1894 Act"

ITEM NO.47

COURT NO.3

SECTION IV-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**MISCELLANEOUS APPLICATION NOS. 1614-1616 OF 2019**  
**IN**  
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BANGALORE DEVELOPMENT AUTHORITY &amp; ANR.

APPELLANT(S)

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RESPONDENT(S)

(IA No. 226529/2023 - APPLICATION FOR PERMISSION, IA No. 47394/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 45077/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 195861/2023 - EXEMPTION FROM FILING O.T., IA No. 49978/2023 - INTERLOCUTORY APPLICATION, IA No. 45071/2023 - INTERVENTION/IMPLEADMENT, IA No. 195105/2023 - INTERVENTION/IMPLEADMENT, IA No. 199822/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No. 195860/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 12-12-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

By Courts Motion

Mr. Ankur S. Kulkarni, AOR

For Respondent(s)

Mr. Shashi Kiran Shetty, AG, State of Karnataka  
Mr. V.N. Raghupathy, AOR  
Mr. Manendra Pal Gupta, Adv.

Mr. D.K. Devesh, AOR

Mr. Durga Dutt, AOR  
Ms. Anjul Dwivedi, Adv.  
Mr. Ratneshwar Prasad, Adv.  
Ms. Nitu Kumari, Adv.  
Mr. Vaibhav Shukla, Adv.

Ms. Surbhi Mehta, AOR

Mr. Anand Sanjay M. Nuli, Adv.  
Mr. Suraj Kaushik, Adv.

Mr. Agam Sharma, Adv.  
Mr. Shiva Swaroop, Adv.  
M/s. Nuli & Nuli, AOR

Mr. Ankolekar Gurudatta, AOR  
Mr. Sunil Kumar Pandey, Adv.  
Mr. Korada Pramod Kumar, Adv.  
Mr. Nihant Panicker, Adv.

Mr. Mrigank Prabhakar, AOR

Mr. Vikram Hegde, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The miscellaneous applications are disposed of in terms of the  
signed order.

(DEEPAK GUGLANI)  
AR-cum-PS

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

(signed order is placed on the file)