

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

ON THE 23<sup>RD</sup> DAY OF APRIL, 2019

BEFORE

THE HON'BLE MR. JUSTICE RAVI MALIMATH

AND

THE HON'BLE MR. JUSTICE S. G. PANDIT

WRIT APPEAL NO.3201 OF 2016

AND

WRIT APPEAL NOS.4289-4294 OF 2016 (LB-BMP)

BETWEEN:

1. MR. VIVEK CHANDRASHEKAR  
AGED ABOUT 55 YEARS,  
SON OF C.V. CHANDRASHEKAR,  
APARTMENT NO.202,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.
2. MISS DURDANA NAIR  
AGED ABOUT 72 YEARS,  
DAUGHTER OF LATE GROUP CAPT. V.R. NAIR,  
APARTMENT NO.002,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.
3. MR. E.K. UNNIKRISHNAN  
AGED ABOUT 88 YEARS,

SON OF E.K. KRISHNA,  
APARTMENT NO.003,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.

4. MRS. SONI MIRCHANDANI  
AGED ABOUT 57 YEARS,  
WIFE OF SONU MIRCHANDANI,  
APARTMENT NO.101,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.
5. MR. LALIT MALANI  
AGED ABOUT 54 YEARS,  
SON OF BAGHAVAN MALNI,  
APARTMENT NO.102,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.
6. MR. RAMADEEP GULATI  
AGED ABOUT 65 YEARS,  
SON OF OF TRILOK SINGH GULATI,  
APARTMENT NO.203,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.

... APPELLANTS

(APPELLANT NO.7 IS  
TRANPOSED AS RESPONDENT NO.5  
AS PER ORDER DATED 22.11.2017)

(BY SRI C.M. POONACHA, ADVOCATE)

AND:

1. BRUHAT BANGALORE MAHANAGARA PALIKE (BBMP)  
HUDSON CIRCLE,  
BENGALURU,  
REPRESENTED BY ITS COMMISSIONER.
2. THE ASSISTANT EXECUTIVE ENGINEER  
RICHMOND TOWN SUB-DIVISION,  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
BENGALURU.
3. THE EXECUTIVE ENGINEER  
SHANTINAGAR DIVISION II,  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
BENGALURU.
4. MR. MOHAMMED HABEEBULLA SHAREIFF  
AGED ABOUT 47 YEARS,  
SON OF M. VALLULLA SHAREIFF,  
APARTMENT NO.201,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.
5. MRS. MAUREEN FORBES  
AGED ABOUT 75 YEARS,  
WIFE OF LATE THOMAS RICHARD FORBES,  
APARTMENT NO.001,  
ROSE QUEEN APARTMENTS NO.3,  
(MUNICIPAL NO.2/6), ROSE LANE,  
RICHMOND TOWN (WARD NO.76),  
BENGALURU-560 025.

... RESPONDENTS

(BY SRI K.N. PUTTE GOWDA, ADVOCATE FOR R-1 TO R-3;  
SRI C. RAJANNA, ADVOCATE FOR R-4)

THESE WRIT APPEALS ARE FILED UNDER SECTION 4  
OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET  
ASIDE THE ORDER PASSED IN THE WRIT PETITION  
NOS.10276 OF 2016 AND 24726-24731 OF 2016 DATED  
09.06.2016.

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THESE WRIT APPEALS COMING ON FOR ADMISSION  
THIS DAY, RAVI MALIMATH J., DELIVERED THE  
FOLLOWING:

### **JUDGMENT**

A memo is filed by the learned counsel for  
respondent Nos.1 to 3 – Corporation, enclosing a copy of  
the final notice dated 16.04.2009, to respondent No.4 with  
regard to illegal construction.

2. In view of the same, the learned counsel for  
the appellants submits that his grievance has since been  
attended to. Hence, the writ appeals are disposed off.

Sd/-  
JUDGE

JJ/-

Sd/-  
JUDGE