



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 14TH DAY OF FEBRUARY, 2024

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.107039 OF 2023 (LB-RES)

BETWEEN:

MOHAMMED IQBAL IBRAHIMIN KHANAPURE
AGE 55 YEARS, OCC. BUSINESS
R/O BIROBA MALYAMAL ROAD, NIPANI,
TQ. CHIKKODI, DIST. BELAGAVI-591237.

...PETITIONER

(BY SRI. AHAMED ALI J. RAHIMANSHA., ADVOCATE)

AND:

1. THE MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
OLD P.B.ROAD, NIPPANI
TQ. CHIKKODI, DIST. BELAGAVI-591237.
2. THE ASSISTANT COMMISSIONER
CHAIRMAN, TDSMT SCHEME
C.M.C. OFFICE, NIPPANI
TQ. CHIKKODI, DIST. BELAGAVI-591237.
3. VILAS GADIWADDAR
EX PRESIDENT OF CITY MUNICIPAL COUNCIL
OLD P.B.ROAD, NIPPANI
TQ. CHIKODI, DIST. BELAGAVI-591237.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO DIRECT NOT TO AUCTION THE SHOP NO. 1 IN THE COMPLEX OF RESPONDENT NO. 1 AND 2 CONSTRUCTED AT ASHOK NAGAR NIPANI, TQ.CHIKODI AS PER ANNEXURE-A. THE PAPER PUBLICATION DATED. 23-07-2018 BEARING NO. NIPANI/KVI/2018-19/634 MARKED AT ANNEXURE-A CONSEQUENTLY PROVIDE THE SHOP NO.1 TO THE PETITIONER ON





NC: 2024:KHC-D:3789
WP No. 107039 of 2023

RENTAL BASIS AS PER EARLIER ALLOTMENT CONDITIONS, IN THE INTEREST OF JUSTICE AND EQUITY AND CONSCIENCE.

THIS PETITION IS COMING ON FOR ORDER THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

1. The petitioner is before this Court seeking the following reliefs:

- i. Respondent No.1 and 2 may kindly be directed not to auction the Shop No. 1 in the Complex of Respondent No.1 and 2 constructed at Ashok Nagar Nipani, Tq.Chikodi as per Annexure-A. The Paper Publication Dated. 23-07-2018 bearing No.Nipani/kvi/2018-19/634 marked at Annexure-A. Consequently provide the Shop No.1 to the Petitioner on Rental Basis as per earlier allotment conditions, in the interest of justice and equity and conscience.*
- ii. Any other Order/Relief which this Hon'ble Court deems fit be passed.*

2. Despite the order dated 08.01.2024, compliance has not been done. None appears for the petitioner. It appears that the petitioner is not interested in prosecuting the matter. Hence, the petition stands dismissed for non-prosecution.

Sd/-
JUDGE

AM
List No.: 2 Sl No.: 12