HC-KAR

NC: 2026:KHC:49867
WP No. 11635 of 2025

CNR: KAHC010251022025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B.PRAMOD

WRIT PETITION NO.11635 OF 2025 (GM-RES)

BETWEEN:

1. SUNIL KUMAR K.V.
AGED ABOUT 41 YEARS
SON OF VENKATTASWAMY K.B.
RESIDING AT LIG 50 KHB COLONY
HOLENARASIPURA
HASSAN-573 211

2. NARENDRA BABU RAJAGOPAL
AGED ABOUT 51 YEARS
SON OF LATE SHRI RAJAGOPAL
RESIDING AT 1537, 20 R CROSS
BHUVANESHWARI NAGAR
HEBBAL KEMPAPURA
BENGALURU-560 024

3. ROOPA HANUMANTHA RAO
AGED ABOUT 47 YEARS
WIFE OF NARENDRA BABU RAJAGOPAL
RESIDING AT 1537, 20 R CROSS
BHUVANESHWARI NAGAR
HEBBAL KEMPAPURA
BENGALURU-560 024

4. T.R. DEEPAK
AGED ABOUT 54 YEARS
S/O. OF LATE T.S.RAJASHEKAR
RESIDING AT D.NO.531
5TH MAIN, 7TH CROSS ROAD

K.S.TOWN
BENGALURU-560 060

5. R. JAYASHREE
AGED ABOUT 51 YEARS
W/O. T.R. DEEPAK
RESIDING AT D.NO.531, 5TH MAIN
7TH CROSS ROAD, K.S.TOWN
BENGALURU-560 060

6. SHANKAR GANIGER
AGED ABOUT 42 YEARS
SON OF MALLAPPA GANIGER
RESIDING AT MIG II 17
HOUSING COLO
MANTUR ROAD, MUDHOL
KARNATAKA-587 313

7. RAJESHWARI ANANDA
AGED ABOUT 63 YEARS
WIFE OF ANANDA GUNDURAO
RESIDING AT 104, ADARSH NEST
3RD CROSS, CR LAYOUT
JP NAGAR 1ST PHASE
BENGALURU-560 078

8. ANANDA GUNDURAO
AGED ABOUT 73 YEARS
SON OF GUNDURAO HULISANDRA
RESIDING AT 104, ADARSH NEST
3RD CROSS, CR LAYOUT
JP NAGAR 1ST PHASE
BENGALURU-560 078

9. RAJESH VIJAYRAO BORIKAR
AGED ABOUT 55 YEARS
SON OF MR. VIJAYRAO BORIKAR
AGED ABOUT 41 YEARS
RESIDING AT J 503

SHRIRAM SAMRUDDHI
VARTHUR ROAD, THUBARAHALLI
BENGALURU-560 066

10. LAXMI RAJESH BORIKAR
AGED ABOUT 50 YEARS
WIFE OF SRI RAJESH VIJAYRAO BORIKAR
RESIDING AT J 503, SHRIRAM SAMRUDDHI
VARTHUR ROAD, THUBARAHALLI
BENGALURU-560 066

...PETITIONERS

(BY SRI AKASH R. BANTIA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT
BENGALURU-560 009

2. THE SPECIAL TAHSILDAR
BENGALURU NORTH TALUK
KANDHAYA BHAVAN, K. G. ROAD
BENGALURU-560 009

3. THE TAHSILDAR
DEVANAHALLI, BENGALURU RURAL
TALUK PANCHAYATH OFFICE
DEVANHALLI, DEVANAHALLI TALUK
BENGALURU-562 110

4. OZONE URBANA INFRA DEVELOPERS
PRIVATE LIMITED
A COMPANY INCORPORATED
UNDER COMPANIES ACT, 1956, HAVING ITS
REGISTERED OFFICE AT NO.38
ULSOOR ROAD, BENGALURU-560 042
REPRESENTED BY ITS MANAGING DIRECTOR
VASUDEVAN SATHYMOORTHY

5. THE KARNATAKA REAL ESTATE
REGULATORY AUTHORITY
THROUGH ITS CHAIRMAN
SECOND FLOOR SILVER JUBILEE BLOCK
3RD CROSS ROAD CSI COMPOUND, MISSION ROAD
SAMPANGI RAMA NAGARA, BENGALURU
KARNATAKA-560 027

…RESPONDENTS

(BY SRI MAHANTESH SHETTY, A.G.A., FOR R-1 TO R-3,
SRI KARTHIK ANANDA, ADVOCATE FOR
SMT. VANDANA P. L., ADVOCATE FOR R-4,
SRI GOWTHAM DEV C. ULLAL, ADVOCATE FOR R-5)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT RESPONDENT NOS.1, 2 AND 3 TO ENFORCE PAYMENT OF AMOUNTS DUE FROM RESPONDENT NO.4 IN ACCORDANCE WITH THE PROCEDURE FOR RECOVERY PROVIDED UNDER THE PROVISIONS OF KARNATAKA LAND REVENUE ACT, 1964 AND RULES THEREUNDER, FOR ENFORCEMENT OF THE DIRECTIONS OF RESPONDENT NO.5 AT ANNEXURE-A DATED 20.12.2024 BEARING NO.RERA/REVENUE/1378/2024-25/2998, ANNEXURE A-1 DATED 29.10.2024 BEARING NO.RERA/REVENUE/01531/2024-25/2913, ANNEXURE A-2 DATED 26.11.2024 BEARING NO. RERA/REVENUE/00846/2024-25/2946, ANNEXURE A-3 DATED 26.11.2024 BEARING NO.RERA/REVENUE/01622/2024-25/2949, ANNEXURE A-4 DATED 30.10.2024 BEARING NO. RERA/REVENUE/01851/2024-25/2923, ANNEXURE A-5 DATED 20.12.2024 BEARING NO. RERA/REVENUE/1760/2024-25/2997, ISSUED UNDER SECTION 40 (1) OF REAL ESTATE (REGULATION AND DEVELOPMENT)

ACT, 2016 AND RULE 25 OF REAL ESTATE (REGULATION AND DEVELOPMENT) RULES, 2017 AND DIRECT RESPONDENT NO.5 TO NOT RENEW THE LICENSE OR PROVIDE ANY FURTHER EXTENSION TO THE RESPONDENT NO.4 IN ANY OF ITS PROJECTS.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B.PRAMOD

ORAL ORDER

The petitioners in the present writ petition have sought a writ of mandamus directing respondent Nos. 1 to 3 to enforce payment of the amount due from respondent No. 4 based on the order passed by respondent No. 5 as per Annexure A dated 20.12.2024, and Annexures A1 to A5 dated 29.10.2024, 26.11.2024, 30.10.2024, and 20.12.2024 respectively.

2. Heard Sri Akash R Bantia, learned counsel appearing for the petitioners; Sri Mahantesh Shetty, learned AGA appearing for respondent Nos. 1 to 3; Sri

Karthik Ananda, learned counsel appearing on behalf of respondent No. 4; and Sri Gowtham Dev C Ullal, learned counsel for respondent No. 5.

3. Learned counsel appearing for respondent No. 4 submits that during the pendency of this writ petition, IBC proceedings have been admitted on 10.06.2026 before the NCLT in CPI IB No. 119/2021 filed by respondent No. 4. In view of this development, respondent No. 4 cannot be directed to enforce the orders of respondent No. 5 till the outcome of the appeal proceedings before the NCLAT, Chennai, in Appeal No. 368/2026.

4. There is force in the argument of the learned counsel for respondent No. 4, and there is no purpose in keeping this petition pending. It is appropriate that the same be disposed of, granting liberty to the petitioners to pursue enforcement of the Orders of Respondent No.5 from respondent No. 4 subject to the outcome of Appeal No. 368/2026 before the NCLAT, Chennai.

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With the above observations, the present petition stands disposed of.

No order as to costs.

Sd/-
(B.PRAMOD)
JUDGE

BSV
List No.: 1 Sl No.: 9