

C. Jayaram vs The State Of Karnataka on 28 January, 2020

Bench: A.M. Khanwilkar, Hemant Gupta, Dinesh Maheshwari

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ITEM NO.12

COURT NO.6

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

Petition(s) for Special Leave to Appeal (C)

No(s). 9662/2013

(Arising out of impugned final judgment and order dated 22-11-2012
in WA No. 1735/2007 passed by the High Court Of Karnataka At
Bengaluru)

C. JAYARAM & ORS.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ORS.

Respondent(s)

Date : 28-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Naveen R. Nath, AOR
Mr. Rahul Jain, Adv.

For Respondent(s)

Mr. T. V. Ratnam, AOR

Mr. Rana Mukherjee, Sr. Adv.
Mr. Mrigank Prabhakar, Adv.
Ms. Surabhi Guleria, Adv.
Ms. Sakshi Banga, Adv.
Mr. D. Abhinav Rao, AOR

Ms. Kiran Suri, Sr. Adv.
Mr. S.J. Amith, Adv.
Dr. (Mrs.) Vipin Gupta, AOR

Mr. V. N. Raghupathy, AOR
Md. Apzal Ansari, Adv.
Mr. Manendrapal Gupta, Adv.

Signature Not Verified

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

Only two points are urged before us by the learned counsel for the petitioners. The first point is that simultaneous notification cannot be issued under the Karnataka Industrial Area Development Act, 1966, namely, under Sections 1(3), 3(1) and 28(1). This point is already answered against the petitioner in HMT Ltd. represented by its Dy. General Manager (HRM) & Anr. Vs. Mudappa & Ors.-2007 (9) SCC 768 (paragraph 30).

The second point is that no acquisition for individual entity can be countenanced as per the Scheme of the subject Act. We are not impressed by this submission. Concededly, the notifications impugned in the writ petition do not reflect that the acquisition was for an individual entity but to notify the area as industrial area.

We do not find any merit in this petition.

Learned counsel for the petitioners was at pains to urge other points which were neither pleaded nor argued before the High Court.

We decline to entertain those grounds, for the first time, in this court.

The Special Leave Petition is dismissed accordingly. The petitioners are free to pursue such other remedies as may be permissible in law in respect of issues other than the challenge, which has attained finality on account of dismissal of the special leave petition.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)