Karnataka High Court

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Sri K M Shivamurthy vs The Bangalore Development ... on 27 May, 2009
Author: Mohan Shantanagoudar
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-'"~,.f%:* :_.,j'f{s%._H'th 'A in Eleiumn \$50.2} o3' the said ;,§;3§i§;1€:a~t§<3§3;*z,:V"igfisvr. peiitimzer is required 1:0 fzmiish the ap5pi'i'£jafiog'1?'»L:i§J;ii11§)ers of 1136: ea□ar attempts, apart frat}: dai:&, mgistratian iitzinbez', éimemsian eta, iiczsw□/m", the "«§:}t:□iii€;_aer, instead o3"' Wl□ng ms 3}'.)§§iCEi{i€}fi number of K mfrd afttampi in ma prasc□éaed ::oi:.:nm, has, €33: ixzistake, fzzz□/gztiazzigsré registraiign nzzixibéir. Since 315 cerrcct applicatian number was not :£hrthcoming_....i::». §;cth,i1::1:{3, num ber 21 of the application □ed by '§t_gf'..peti§i{§;;ef' 3.1? {mirth aite□/pt, the EDA did Izéfi: ;i'i1_%:<:3'é the third attempt made by□/ge pétiiiéiléf.

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gum her of the third attempt. "i'he respongi¢;ii§" the $St\pounds3;' \in E$, $toI'\S <'$ autharity shouid be magjégriimjgi '% _ "its approach. it. shouid not havfii *é<::i:;'e{i. {Qo -1 irwhiég deciding thé fate of the a.}QpIiC \square :.i(}i1._ f \square Eheyv §é'ii9§iQner fer getting the site. As ' \in V;§3e« '§\$\${itione3r fias applied under 1. 'S *é V%:tior1 quota, kéavizag regard tq the facts and <:i1'C1.11t:1s'F;aéVs§_\$c4é;f:;;;.%:V;§3§::V§' is of tha ccmsidsared $O\square\square\square$. W15 be met if the r \in s \square 2§}I::ieA:':;V'{ "'Vi§;:. ' \in 52 C{)3f1Sid \in I' tha prayer o? the site under ECO1"1G \square iC8H}? Weaker V§ \sim 3:.%;::i;i£:>:1 sa'§ eg:3rj;___g§1"e\$h trea \square hg the attempts made by {ha ';3eii?}_iQ:1t::,f"::2,\$ "four". Accordingly, the fbiécwirig aréer is §:%3de: f; V The respondent is directeé {G ca \square siaiigr \$16 V' "a§3p§ic8; \in i§:1 fiiati by \$115: gaetitiaziez' far a \square ettiizg the sita? ma \square ? §:}CG;"i \in 3 \square '; \in Ca \notin 8f;' Weak \square r Sectien quarts. treating the {mm bar SE" attemgazs made the petitienéf as "fair"? The

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miséake committed by tha peizitioriar in entering the %.>:m:2I1g application number in Columrx. No.2 1 of the application {of f□ifih attempt} is harebfa condanéd. C<>nsequer;f;i};*,. the €3"i{§9E'S€3.1}€3fi'{ Vid□Annexm'e~'D' dated 1?'.}.§§i}é)§:;VV'._§w;j1"c%~s xiguaséféed.