

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

Application No.143/ 2022

BETWEEN:

SRI. PARAMESH. V

.....Applicant

AND

THE COMMISSIONER, BBMP AND OTHERS

.....Respondents

Memo

The undersigned counsel herewith submits that,

1. Firstly, the counsel for the applicant craves leave to submit the reply to the Annexures of the reply statement submitted by respondent 13 and 14 and also craves leave of this Hon'ble court to file an additional reply and produce additional documents on the next date of hearing by filing necessary applications. In addition, any specific non-denial of the same shall not be treated as an admission of the same at their behest.
2. It is submitted that, the respondent No.13 & 14 had filed a reply statement dated 19th February 2023 denying the averments of the application filed by the applicant without uploading the supporting annexures as stated in reply statements.
3. It is submitted that, Further, the respondent counsel clarifies before this Hon'ble Tribunal that as they have not received the translated typed copy and the same will be re-uploaded and sought for the time. Subsequently the counsel for the respondent uploaded the annexures, which was available to the view on the Tribunal website.
4. It is submitted that, the respondent has submitted the land conversion orders by the Deputy Commissioner Bangalore Urban District along with its translated copy dated 19/5/2019 as **Annexure-B1**. Wherein in it is crystal clear from the orders bearing No. ALN/EBK/SR/35/2018-19 in para No. 6 that **states there is 0.02 guntas of B Karab (Waterbody) in sy. No. 31/1**, as it is reserved for the public purpose and the applicant/land owner has no rights over this B-Karab, and only the government has the rights over it and also directed the Tasildar to clearly mention the same in the RTC.

5. It is submitted that, the respondent has submitted the land conversion orders by the Deputy Commissioner Bangalore Urban District along with its translated copy dated 03/06/2019 as **Annexure-B1**. Wherein in it is crystal clear from the orders bearing No. ALN/EBK/SR/34/2018-19 in para No. 6 that **states there is 0.05 guntas of B Karab (Waterbody)** in sy. No. 34/1, as it is reserved for the public purpose and the applicant/land owner has no rights over this B-Karab, and only the government has the rights over it and also directed the Tasildar to clearly mention the same in the RTC. **It is submitted that, the respondent No. 13 &14 has deliberately concealed the above facts in the translated typed copy by suppressing the facts and misleading this Hon'ble Tribunal.**
6. It is submitted that, the respondent has submitted the order of the Deputy Commissioner, 1st Respondent confirming the change of route and for shifting of the feeder Canal as **Annexure B13** along with its translated copy. Pertinent to state here that the applicant/land owner has submitted the application for the change of route pertaining to B-Karab with the Deputy Commissioner dated 24.01.2023 by suppressing the fact that the Oa.No.143/2022 being pending before this Hon'ble Tribunal and the application is been submitted by the land owner only after the admission of this OA. NO. 143/2022 dated December 19th 2022, wherein the respondent No.13 and 14 was supposed to get this approval at the time of land conversion and it is pertinent to state that the respondent No.13 and 14 had acquired the approvals from the other concerned authorities for the construction of the project before the approval of the same from the Deputy Commissioner. **Subsequently during the pendency of the OA. NO.143/2022, pending before this Hon'ble Tribunal the Deputy Commissioner approves the same on 03.02.2023 (within a swift of a week time)** vide order No. LND(E)CR273/2022/23 under Karnataka Land Grant Rules 28(a)(i) of 1969 imposing certain conditions. As the order is passed without following the due procedures, it is suspicious.
7. It is submitted that, **as per the Karnataka Land Grant Rules 28(A)(4) it states that** *"The Deputy Commissioner shall on receipt of such application, make such enquiry as he thinks fit and if satisfied that the applicant is eligible under this rule for the grant of land in*

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*exchange for the land relinquished, determine the market value of the land to be relinquished and also of the land to be granted. **Thereafter he may pass an order granting the land, if the value of such land is not more than one thousand rupees.** If the value exceeds rupees one thousand, he shall submit the application together with his report in the matter to the Divisional Commissioner. The Divisional Commissioner may pass an order granting the land if the value of such land does not exceed rupees ten thousand. If the value exceeds ten thousand rupees the records shall be submitted to the State Government which may pass orders granting such land"*

8. It is pertinent to mention that, as per the above mentioned rule the Deputy commissioner is empowered to pass an order for granting the land only when the value of such land is below Rs.1000/- and if the value of the land exceeds above Rs.1000/- he shall forward the same to the divisional commissioner along with his reports. As the sub-registrar guidance value of the project area is approximately not less than Rs3000/- per square feet. Hence, the order passed by the Deputy Commissioner is questionable, as he is not empowered to pass such orders.
9. It is submitted that, subsequently the Deputy Commissioner/**Respondent No.1 vide his order No. LND (E)CR. 273/2022-23** dated 20.02.2023 has cancelled his previous order dated 03.02.2023(**Annexure-B13-** confirming the change of route and for shifting of the feeder Canal). The copy of the order dated 20.2.2023 is hereby produced as Annexure-A along with its translated copy as Annexure-A1.
10. It is submitted that, later the Tasildar/ respondent No.8 vide his order No. DMA(NCR)CR/80/2022-23 passed an order dated 08.03.2023 confirming the encroachment of the Nala/waterbody/Rajakaluve in the above mentioned Survey Numbers (Sy. No. 31/1 and 34/1), directing the land owners to take necessary steps remove the encroachments of water bodies and failing which the concerned officials of Storm water drain (SWD) wing of BBMP with the assistance of concerned surveyor, in the presence of concerned RO of BBMP have to take steps to remove the exact area of encroachment over the Nala/kaluve which has been physically

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identified by the surveyor. The copy of the order dated 08.3.2023 is hereby produced as Annexure-B.

Wherefore, from the above recent orders of the Deputy Commissioner/respondent No.1 and the Tasildar/respondent No.8 it is evident that the respondent No.13 and 14 have encroached upon the water body and its buffer Zone. As the respondent No.13 and 14 has deliberately concealed the facts of the encroachment of the waterbody and its protected buffer zone, strict legal action including the contempt proceedings has to be initiated on the respondent No.13 and 14 along with environmental compensation/fine. And any other orders as the Hon'ble tribunal deems fit in the interest of justice and equity.

Bangalore

Date: 16/03/2023


Advocate for Applicant

ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಾರ್ಯಾಲಯ, ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ರವರ ನಡವಳಿಗಳು.

ವಿಷಯ:- ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಬಿದರಹಳ್ಳಿ ಹೋಬಳಿ ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.31/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಮತ್ತು ಸ.ನಂ.34/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಸರವು ಪಥ ಬದಲಾವಣೆ ಆದೇಶವನ್ನು ರದ್ದುಪಡಿಸಿರುವ ಕುರಿತು.

- ಉಲ್ಲೇಖ:-
1. ಈ ಕಛೇರಿ ಸಮ ಸಂಖ್ಯೆಯ ನಡವಳಿ, ದಿನಾಂಕ:03-02-2023.
 2. ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರ ಪರದಿ ಸಂ:ಎಲ್‌ಎನ್‌ಡಿ(ಕಾ)ಸಿಆರ್/25/19-20 ದಿನಾಂಕ:31-01-2023.
 3. ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ನ್ಯಾಯ ಮಂಡಳಿಯ ಅರ್ಜಿ ಸಂ:143/2022(ಎನ್‌ಜೆಡ್).

ವಸೂವನೆ:

ಶ್ರೀ.ಆರ್. ಅಂಜನಪ್ಪ ಬಿನ್ ಲೇಟ್ ರಾಮಯ್ಯ ರವರು ದಿನಾಂಕ:24-01-2023 ರಂದು ಈ ಕಾರ್ಯಾಲಯಕ್ಕೆ ಮನವಿ ಸಲ್ಲಿಸಿ ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಬಿದರಹಳ್ಳಿ ಹೋಬಳಿ ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.31/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಮತ್ತು ಸ.ನಂ.34/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ 'ಬಿ' ಖರಾಬು ಸರವನ್ನು ಪಥಬದಲಾವಣೆ ಮಾಡುವಂತೆ ಕೋರಿದ್ದು, ಉಲ್ಲೇಖ(2) ರಂತೆ ತಹಶೀಲ್ದಾರ್ ಹಾಗೂ ಭೂ ದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಮತ್ತು ತಾಲ್ಲೂಕು ಭೂ ಮಾಪಕರು ಸರ್ವೆ ನಕ್ಷೆಯನ್ನು ದೃಢೀಕರಿಸಿ ಪಥ ಬದಲಾವಣೆ ಮಾಡುವ ಸಂಬಂಧ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಅದರಂತೆ ತಹಶೀಲ್ದಾರ್ ಹಾಗೂ ಭೂ ದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಹಾಗೂ ತಾಲ್ಲೂಕು ಭೂ ಮಾಪಕರು ದೃಢೀಕರಿಸಿ ಸಲ್ಲಿಸಿರುವ ಸರ್ವೆ ನಕ್ಷೆ ಹಾಗೂ ವರದಿಯನ್ನು ಆಧರಿಸಿ, ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.31/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಮತ್ತು ಸ.ನಂ.34/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಒಟ್ಟು 0-04 ಗುಂಟೆ 'ಬಿ' ಖರಾಬಿನ ಸರವನ್ನು ಪಥ ಬದಲಾವಣೆ ಮಾಡಿ ಉಲ್ಲೇಖ(1) ರಂತೆ ಆದೇಶಿಸಲಾಗಿರುತ್ತದೆ.

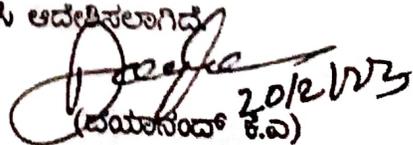
ಮುಂದುವರೆದು, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬಿದರಹಳ್ಳಿ ಹೋಬಳಿ, ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.30, 31/1, 31/2, 34/1 ರಲ್ಲಿ ಎನ್‌ವಿಆರ್ ಬಿಲ್ಡರ್ಸ್ ರವರು ಎನ್‌ವಿಆರ್ ಸನ್ ಪಿಯರ್ ಬ್ಲಾಕ್ 3 ರಲ್ಲಿ ರಾಜಕಾಲುವೆ/ಸ್ಮೀಮ್ ಒತ್ತುವರಿ ಮಾಡಿ ಬಹುಮಹಡಿಯ ಕಟ್ಟಡ ನಿರ್ಮಾಣ ಮಾಡುತ್ತಿರುತ್ತಾರೆಂದು ಶ್ರೀ ಪರಮೇಶ್.ವಿ, ಬೆಂಗಳೂರು ರವರು ಉಲ್ಲೇಖ(3) ರಂತೆ ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ನ್ಯಾಯ ಮಂಡಳಿಯ ಅರ್ಜಿ ಸಂ:143/2022 (ಎನ್‌ಜೆಡ್) ರಂತೆ ದೂರು ದಾಖಲಿಸಿದ್ದು, ಸದರಿ ಪ್ರಕರಣವು ನ್ಯಾಯ ಮಂಡಳಿಯಲ್ಲಿ ವಿಚಾರಣಾ ಹಂತದಲ್ಲಿ ಬಾಕಿಯಿದ್ದು, ಅರ್ಜಿದಾರರು ಸದರಿ ವಿಷಯವನ್ನು ಮಾರಿಮಾಚಿ/ತಪ್ಪು ಮಾಹಿತಿ ನೀಡಿ ಪಥ ಬದಲಾವಣೆ ಆದೇಶವನ್ನು ಪಡೆದಿರುವುದರಿಂದ, ಈ ಕೆಳಕಂಡ ಆದೇಶವನ್ನು ಹೊರಡಿಸಿದೆ.

ಸಂಖ್ಯೆ:ಎಲ್‌ಎನ್‌ಡಿ(ಪೂ)ಸಿಆರ್.273/2022-23

ದಿನಾಂಕ:20-02-2023.

:: ಆದೇಶ ::

ಮೇಲ್ಕಂಡ ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ವಿವರಿಸಲಾಗಿರುವ ಅಂಶಗಳನ್ವಯ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬಿದರಹಳ್ಳಿ ಹೋಬಳಿ, ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮದ ಸ.ನಂ.31/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ & 34/1 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಒಟ್ಟು 0-04 ಗುಂಟೆ ಸರವು ಬಗೆಗಿನ ಖರಾಬಿನ ಕುರಿತು, ಉಲ್ಲೇಖ(1) ರಂತೆ ದಿನಾಂಕ:03-02-2023 ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಈ ತಕ್ಷಣದಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಹಿಂಪಡೆದು, ರದ್ದುಪಡಿಸಿ ಆದೇಶಿಸಲಾಗಿದೆ.


(ಬಯಾನಂದ್ ಕೆ.ಎ)

ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು

ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು.

ಪ್ರತಿಯನ್ನು :-

1. ತಪಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರಿಗೆ ಕಳುಹಿಸುತ್ತಾ, ಪ್ರಶ್ನಿತ ಜಮೀನುಗಳಲ್ಲಿನ ಸರವು ಬಗ್ಗೆ ಖರಾಬನ್ನು ಒತ್ತುವರಿ ಮಾಡಿಕೊಂಡು ಅಕ್ರಮವಾಗಿ ಕಟ್ಟಡವನ್ನು ಕಟ್ಟುತ್ತಿರುವ ಬಗ್ಗೆ ಈ ಕೂಡಲೇ ನಿಯಮಾನುಸಾರ ಪರಿಶೀಲಿಸಿಕೊಂಡು, ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಕಾಯ್ದೆ 1964 ಕಲಂ 104 ರಡಿ ಒತ್ತುವರಿದಾರರಿಗೆ ನೋಟೀಸನ್ನು ಜಾರಿ ಮಾಡಿ ವಿಚಾರಣೆ ನಡೆಸಿ, ಕಾನೂನು ರೀತ್ಯಾ ಮುಂದಿನ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಂಡು, ಕೈಗೊಂಡಿರುವ ಕ್ರಮದ ಬಗ್ಗೆ ಎಲ್ಲಾ ದಾಖಲೆ ಹಾಗೂ ನಕ್ಷೆಯೊಂದಿಗೆ ವಿವರವಾದ ವರದಿಯನ್ನು ಮರು ಟಿಪಾಲಿನಲ್ಲಿ ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿದೆ.
2. ಭೂ ದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬೆಂಗಳೂರು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಅಗತ್ಯ ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.
3. ಶ್ರೀ.ಆರ್. ಆಂಜಿನಪ್ಪ ಬಿನ್ ಲೇಟ್ ರಾಮಯ್ಯ, ಕುಂಬೇನ ಅಗ್ರಹಾರ ಗ್ರಾಮ, ಬಿದರಹಳ್ಳಿ ಹೋಬಳಿ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ

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PROCEEDINGS OF THE OFFICE OF THE COLLECTOR,
BANGALORE DISTRICT, BANGALORE

Sub: Regarding cancelling that the change order of Saravu Path change in serial No.31/1 of 002 gunta and Sl No.34/1 of Bidarahalli Hobli, Kumbena Agrahara Village, Bangalore East Taluk.

Ref : 1) This office bid numbered proceedings dated : 03.02.2023.

**2) Thasildar, Bangalore East Taluk,
Ladefor "D" Sof/25/19-20, date :31.01.2023.**

**3) National Green *Tribunal* petition
No.143/2022.**

Reg: Shri Anjinappa S/o.Ramaiah filed a petition with this office dated : 24.01.2023, in Sl No.31/1 and Sl 34/1 in Sl No.31/1 of Agrahara Village, Bangalore East Taluk, Bidarahalli Hobli, Bangalore City, District, 0-02 Gunte B requested to change the path of Kharabu land - as per reference -II Thasildar and Assistant Director of Land Records, Bangalore East Taluk, and Taluk land Surveyor confirmed the Survey map and submitted a report regarding the changing the path.

>>><<<

Accordingly, based on the survey map and report submitted by the Thasildar and Assistant Director of land records, Bangalore East Taluk, and Taluk land Surveyor, 0-02 gunte in No.31/1, and 0-02 in No.34/1 of Agrahara

Village, Kumbane Agrahara. Gunte total 00¹/₄ gunte - B
Kharabi chain is re-routed and ordered as per
reference -I.

Further, Mr. Paramesh said that ~~NVR~~ builder is
encroaching the Rajkaluve/steam in Block No.III of N.I.R
sun P. at No.30, 31/1, 31/2, 34/1 of Agrahara Village.
Bidarahalli Hobli, Bangalore East Taluk and constructing
a multi-storied building and has filed the complaint as per
reference 3 National Green *Tribunal* application
No.143/2022 and the said case is pending in the judicial
board and since the petitioner has concealed /mis
represented the said matter and obtained a change of
course order the following order issued.

No.LND(Cr.273/2020-22-23)

Dated : 20.02.2023

0-02 Gunte in 0-02 gunte and 0-02 gunte in 34 -1
total 0-04 gunte in Kubane Agrarhara Village, Bidarahalli
Hobli, Bangalore East Taluk, as per reference (1) order
dated L 03.02.2023, is hereby revoked and cancelled with
immediate effect.

Dyanand.K.A.
District Collector,
Bangalore East.

Copies sent to :-

1. Sending to the Thasildar Bangalore East Taluk to enquire the encroachment and illegal construction of the land in question issue a notice to the encroachers Under Section 104 of the Karnataka Land Revenue Act, 1964 and conduct an enquiry and take the necessary legal action directed to submit a detailed report with all documents and map to the office by repost.
2. Sent to Assistant Director of Land Records, Bangalore East Taluk for information and necessary action.
3. Shri R.Anjinappa Son of Ramaiah, Kumbana Agrahara Village, Bidarahalli Hobli, Bangalore East Taluk.

IN THE COURT OF THE TAHSILDAR, BENGALURU EAST TALUK
AT K.R. PURAM, BENGALURU - 560 036

Before this 08th day of 2023

Present: S. AJITH KUMAR RAI
TAHSILDAR,
BENGALURU EAST TALUK

DMA(NCR)CR/80/2022-23

PETITIONER

The Government of Karnataka.

RESPONDENT

Sri. Anijanappa,
S/o Ramaiah,
residing at,
KumbenaAghrahara Village,
BidrahalliHobli,
Bengaluru East Taluk.

The above proceeding has been initiated by invoking the provisions of section 104 of Karnataka Land Revenue Act 1964 and provisions of the Disaster Management Act, 2005 (hereinafter referred to as 'Act') to remove the Encroachment over the Kaluve existing in Sy.No.31/1 measuring to an extent of 0-02 Guntas and in Sy.No.34/1 measuring to an extent of 0-02 Guntas, both situated at Kumbena Agrahara Village, Bidarahalli Hobli, Bengaluru East Taluk (hereinafter called as subject survey numbers/ lands in question).

The Taluk Surveyor by conducting the survey identified the existence of Kaluve and encroachment upon the same in the

Subject Survey Numbers. By considering the same, the notice has been issued to the respondent and directed him to remove the encroachment over the Kaluve. As he failed, the above proceeding has been initiated.

In response to the notice, the respondent appeared through his counsel and contending that, he is the absolute owner of the subject survey numbers and also submits that there exists 0.02 Guntas Kharab in Sy.No.31/1 and 0.02 Guntas of Kharab earmarked for SARAVU and 0.03 Guntas Kharab, totally 0.5 Guntas in Sy.No.34/1. He also contended that, he has filed an application on 16.08.2019 for deviation of SARAVU/PATH. Accordingly, this authority on 17.08.2019 in No.LND(KA)CR/25/2019-20 directed the Assistant Director of Land Records, Bengaluru East Taluk to conduct the survey and submit the report with sketch. In respect of the same, the Taluk Surveyor issued a notice to him and recorded the statement, conducted the Spot Inspection and prepared a sketch for deviation of SARAVU/PATH. This authority based on the above report, forwarded the report to Deputy Commissioner, Bengaluru Urban District. Accordingly, Deputy Commissioner passed an Order dated 03.02.2023 for deviation of SARAVU/PATH in respect of Kharabin subject survey numbers. He also contended that no notice or intimation issued to him or survey has been done before initiating the instant proceedings against him.

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In support of his contention, the Respondent has produced copy of the letter dated 17.08.2019, Revenue Survey Notice, letter dated 19.08.2019, Survey Sketch, Order dated 03.02.2023 and etc Heard the argument and perused the material documents available on record.

By going through the report of the Taluk surveyor it shows that, in subject Sy.No. 34/1 and Sy.No.31/1 measuring to an extent of 0-02 Guntas of Kharab earmarked for the purpose of Kaluve. Further, by perusing the contentions urged by the respondents, which clearly substantiate that, he has encroached the said Kaluve and constructed the RCC Building.

The further contentions of the respondent is that, by considering his representation and based on the sketch and report prepared by the Taluk Surveyor, the Deputy Commissioner has Ordered to deviate the said Kharab land in subject land as per the Order dated 03.02.2023. It shows that, the said Order, which has been referred by the respondent has been cancelled by the Deputy Commissioner as per the Order dated 20.02.2023 in No.LND(East)/CR/273/2022-23. Therefore, there is no force in the contention of the respondent.

Therefore, it is required to take necessary steps to remove the encroachment and also to take steps to recover the expenses for removal of the encroachment by the respondent.

Hence, I proceed to pass the following;

ORDER

By invoking the provisions of Section 104 of K.L.R. Act and under the provisions of the Disaster Management Act 2005, I hereby direct the Respondents to remove the Encroachment over the Kaluve Sy.No.31/1 measuring to an extent of 0-02 Guntas and in Sy.No.34/1 measuring to an extent of 0-02 Guntas, both situated at Kumbena Agrahara Village, Bidarahalli Hobli, Bengaluru East Taluk, which is more fully and particularly identified in the sketch prepared by the Taluk Surveyor forthwith.

Failing which the concerned Officials of Stormwater Drain (SWD) wing of B.B.M.P. with the assistance of the concerned Surveyor, in the presence of the concerned R.O. of B.B.M.P have to take steps to remove the exact area of encroachment over the Nala/Kaluve which has been physically identified by the surveyor.

(Order pronounced in the open court on this 08 day of 2023).

ಶಿಬಿರ ಅಧಿಕಾರಿಗಳಿಗೆ ಸಲ್ಲಿಸಿ

ತಹಶೀಲ್ದಾರ್

ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು.

ಕೃಷ್ಣರಾಜಮಠ.

S. AJITH KUMAR RAI,
TAHSILDAR,
BENGALURU EAST TALUK