ITEM NO.35 COURT NO.5 SECTION IV-A

S U P R E M E C O U R T O F I N D I A78
RECORD OF PROCEEDINGS

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO. 8361/2021

[Arising out of impugned final judgment and order dated 15-04-2021 in WA No. 319/2019 passed by the High Court of Karnataka at Bengaluru]

HIS HOLINESS SRI SRI VIDYA PRASANNA THIRTHA SWAMIJI
PETITIONER(S)

VERSUS

STATE OF KARNATAKA & ORS. RESPONDENT(S)

(IA No. 90648/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 73145/2021 - EXEMPTION FROM FILING O.T.
IA No. 90649/2021 - EXEMPTION FROM FILING O.T.
IA No. 83829/2021 - EXEMPTION FROM FILING O.T.
IA No. 81042/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 73144/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 83818/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH
SLP(C) No. 11925-11928/2021 (IV-A)
(IA No. 92483/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 97226/2021 - EXEMPTION FROM FILING O.T.
IA No. 97224/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 23-03-2026 These matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. S N Bhat, Sr. Adv.
Mr. D P Chaturvedi, Adv.
Mr. Tarun Kumar Thakur, Adv.
Ms. Anuradha Mutatkar, AOR

Mrs. V. Mohana, Sr. Adv.
Mr. Ravi Raghunath, Adv.

Signature Not Verified
Digitally signed by GEETA AHUJA
Date: 2026.04.23 16:50:00 IST
Reason:

Mr. Sanyat Lodha, AOR
Mr. Namanjeet Singh Bhatia, Adv.
Ms. Runjhun Garg, Adv.

For Respondent(s) Mr. KN Phanindra, Sr. Adv.
Mr. Ninad Laud, Adv.
Mr. Sahil Tagotra, AOR
Mr. Aditya Pratap Swain, Adv.

Mr. D. L. Chidananda, AOR

Mr. Aviskar Singhvi, AAG
Ms. Patil Rekha Chandra Gouda, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. We have heard the learned Senior counsel appearing for the petitioner(s) and the learned Senior counsel appearing for the respondents.

2. The challenge in the present proceedings is to the acquisition made for the purpose of widening the road leading to the respondent-temple.

3. In pursuance to the preliminary notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the 1894 Act'), objections had been called for. Thereafter, objections were given by the petitioner(s) and notices were also issued for inspection, which was accordingly conducted. A declaration was then issued under Section 6 of the 1894 Act to acquire the land.

4. The challenge made before the Single Judge of the High Court was rejected, which has been confirmed by the Division Bench of the High Court *vide* the impugned order. Aggrieved, the present Special Leave Petitions have been

filed.

5. The learned Senior counsel appearing for the petitioner(s) would submit that the notification issued under Section 4(1) of the 1894 Act is vague. There is no public purpose involved in the acquisition. The period of limitation provided under Section 6 of the 1894 Act has elapsed. The temple itself has taken the plea that a lesser extent of land is required.

6. In support of the aforesaid submissions, the following decisions have been relied upon:

1. Madhya Pradesh Housing Board Vs. Mohd. Shafi and Others (1992) 2 SCC 168;

2. Padma Sundara Rao (Dead) and Others Vs. State of T.N. and Others (2002) 3 SCC 533; and

3. Vijay Narayan Thatte and Others Vs. State of Maharashtra and Others (2009) 9 SCC 92.

7. The learned counsel appearing for the respondent-State and the learned counsel appearing for the respondent-temple submit that both the Single Judge and the Division Bench of the High Court have considered the relevant materials in the correct perspective. The petitioners were quite aware of the purpose of the acquisition. There is no vagueness involved in the notification issued under Section 4(1) of the 1894 Act *per se*. Limitation will accrue only from the date of submission of the objections.

8. Considering the above, especially when 75% of the road

widening work is already over, even the alternative plea made by the petitioners ought not to be considered. Accordingly, there is no need for interference in the impugned order.

9. The law on acquisition is quite settled. The 1894 Act is expropriatory in nature. It warrants mere procedural compliance. The existence of a public purpose is a subjective satisfaction over which the Court has a limited role to play. The object of the acquisition is for the widening of the road. Though it emanated from the request made by the respondent-temple, it was meant for the devotees to reach the temple for the purpose of offering their prayers. Certainly, there is a public purpose involved. Further, it is not as if the petitioners have not been heard. Notices were issued for the purpose of compliance under Section 5A of the 1894 Act, pursuant to which objections were given.

10. The petitioners were also issued with notices for inspection. Thereafter, a declaration under Section 6 of the 1894 Act was issued by the respondent-State. Thus, the necessary procedure has been complied with.

11. In our considered view, the decisions relied upon by the learned Senior counsel appearing for the petitioner(s) do not apply to the case on hand.

12. As we are satisfied with the procedural compliance, and especially since we are dealing with a case where 75%

of the road widening work is already over, we find no reason to interfere with the impugned order passed by the High Court.

13. The submission made by learned Senior counsel appearing for the petitioner(s) and the statement made by the learned counsel for the temple as regards a lesser extent of land being required, cannot be accepted as it is for the State to make a decision, notwithstanding the fact that the temple has deposited the amount towards the compensation payable to the landowner, as the object of the acquisition is very clear, for the purpose of widening of the road for the general public.

14. The Special Leave Petitions are, accordingly, dismissed.

15. Pending application(s), if any, shall stand disposed of.

(GEETA AHUJA)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR