

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.175 OF 2009
(Arising out of SLP(C)No.2173/2005)**

HUCHAMMA (D) BY LRS.

....APPELLANTS

VERSUS

STATE OF KARNATAKA & ORS.

....RESPONDENTS

O R D E R

Leave granted.

This Appeal is directed against an order dated 15th of December, 2004 passed by a Division Bench of the High Court of Karnataka at Bangalore in Writ Appeal No.2945 of 2004.

We have heard learned counsel for the parties and examined the impugned order and the order passed in the writ petition and other materials on record.

Having heard the learned counsel for the parties and after going through the materials on record, we are not inclined to interfere with the impugned order of the High Court as we find that the High Court has rightly dismissed the writ appeal on the ground of inordinate delay holding that the preliminary notification acquiring the land in question including the lands of the appellants was issued on

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15th July, 1982 and the final notification was issued on 16th August, 1985 and the award was passed on 12th May, 1998 and possession of the land in question was taken over on 30th June, 1998, and subsequent to that the writ petition was filed in the year 2000. We are, therefore, of the view that the High Court was justified in dismissing the writ appeal on the ground of inordinate delay in filing the appeal.

Accordingly, this appeal is dismissed, with no order as to costs. Interim order passed by this Court on 4.3.2005 stands vacated.

**.....J.
(TARUN CHATTERJEE)**

**.....J.
1(V.S. SIRPURKAR)**

**NEW DELHI,
JANUARY 14, 2009**