

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[BANGALORE DEVELOPMENT AUTHORITY VS. THE UNION OF
INDIA AND OTHERS]

03.06.2026
(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Sri.Gauthamdev. C. Ullal, learned counsel is directed to accept notice for Respondent No.3.
2. Notice to Respondent No.2 is deferred for now.
3. The operation and applicability of the Real Estate (Regulation and Development) Act, 2016 (for short, RERA) to the residential layouts/schemes as regards the preliminary notification of acquisition was issued prior to the commencement of the Real Estate (Regulation and Development) Act, 2016 is stayed, till the next date of hearing, for the reason since the learned Senior Counsel, Sri.Shashikiran Shetty appearing for the Petitioner/BDA would submit that the BDA would implement and form layouts on the basis of the acquisition and the BDA Act, which comes with several unknown aspects as regards the timing and if the concept of ongoing project is applied to the BDA, where the

implementation is on the basis of an acquisition of land, which is not in the complete control of the BDA, then the BDA would be put to untoward harm and injury.

4. The stay is granted to examine the applicability of the Real Estate (Regulation and Development) Act, 2016 to the projects of statutory authorities like the BDA, who are implementing projects on the basis of acquisition of the land, prior to such projects being initiated, prior to the commencement of the RERA.
5. At this stage, it would also have to be determined as to, for what kind of allotments, the RERA would be applicable and to what kind of allotments, it would not be applicable since the matter would touch upon the allotments made to several hundreds of general public.
6. Re-list on **06.07.2026**.

(SURAJ GOVINDARAJ)
JUDGE