

ITEM NO.17

COURT NO.3

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15181-15183/2020

(Arising out of impugned final judgment and order dated 04-12-2020 in WP No. 10216/2020 04-12-2020 in WP No. 1892/2020 04-12-2020 in WP No. 11077/2020 passed by the High Court Of Karnataka At Bengaluru)

THE STATE OF KARNATAKA

Petitioner(s)

VERSUS

M. SHIVARAJU & ORS.

Respondent(s)

IA No. 72618/2021 - INTERVENTION APPLICATION
IA No. 21100/2021 - INTERVENTION APPLICATION)

WITH

SLP(C) No. 15798-15800/2020 (IV-A)
(IA No. 132232/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 132230/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15796/2020 (IV-A)
(IA No. 131926/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 92/2021 (IV-A)
(IA No. 872/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 2361/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 870/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 2360/2021 - EXEMPTION FROM FILING O.T., IA No. 2358/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s)

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For Respondent(s)

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 Mr. Agam Sharma, Adv.
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 Mr. Dharm Singh, Adv.
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Mr. Aditya Narayan, Adv.
 Mr. Rohit Sharma, Adv.
 Mr. Rounak Nayak, Adv.
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Ms. Beena Goyal, Adv.
 Mr. S.K. Rajora, Adv.
 Mr. Akhileshwar Jha, Adv.
 Ms. Shweta Sand, Adv.
 Ms. Niharika Dewivedi, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

SLP (C) No(s). 15181-15183/2020, SLP(C) No. 15798-15800/2020 AND
 SLP(C) No. 15796/2020

Heard learned counsel for the parties.

Mr. Tushar Mehta, learned Solicitor General has invited our attention to the Bruhut (Greater) Bangalore Mahanagara Palike Act, 2020 (for short, "Act of 2020") which he submits has come into effect from 11.01.2021.

Consequent to coming into force of the said Legislation, the State has appointed a Commission for delimitation of wards and a dedicated Commission for providing reservation, including for Other Backward Classes (OBC) category.

The process of delimitation of wards, it is stated,

is at the final stage and formal notifications are likely to be issued shortly by the State Government.

To be on the safer side, it is urged that the Court may permit the State Government to complete the process of issue of notification regarding delimitation of wards up to eight weeks from now.

Simultaneously, the State Government has assured to put in all efforts to ensure that the work assigned to the dedicated Commission concerning the determination of proportion of reservation, would also be completed within the same time and notified accordingly.

The assurance given on behalf of the State is placed on record and is accepted.

In other words, necessary notifications regarding delimitation of wards or be it for determining reservation percentage for the newly constituted corporation, be completed and notified not later than eight weeks from today.

The Karnataka State Election Commission shall thereafter commence the preparatory exercise of conducting elections to install the newly elected body of the Bruhut (Greater) Bangalore Mahanagara Palike constituted under the Act of 2020.

The State Election Commission can commence that exercise within one week from the date of notification of delimitation of wards and/or determination of reservation to be provided for OBC category on the basis of the recommendation made by the dedicated Commission, whichever is later.

Needless to observe that once the State Election Commission initiates the process for conduct of elections, it must take the same to its logical end in accordance with law expeditiously.

List these matters for further orders on 22.07.2022.

SLP(C) No. 92/2021

Learned counsel for the petitioner having realized that the election programme of the Vijayapura Mahanagara Palike cannot proceed because of ad-interim *ex parte* order dated 03.02.2021, in all fairness, submits that the same be vacated forthwith so that the State Government and State Election Commission will be able to proceed in the matter in accordance with law, including keeping in mind the directions issued by the High Court in the impugned order. We order accordingly.

The timeline provided in the order passed by the High Court in respect of Bruhut (Greater) Bangalore Mahanagara

Palike shall apply on the same terms in respect of Vijayapura Mahanagara Palike.

In light of this order, this special leave petition is disposed of as requested by the learned counsel for the petitioner.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)