

High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 30/08/2013

Honble Justice N.KUMAR AND

B.V.NAGARATHNA

30/08/2013

Order in WP 24739/2012

Learned Advocate General submitted that in the Writ Petition Nos.32882-903/2013, not only a status-quo order is passed on 02/08/2013, but the writ petitions have also been allowed on 07/08/2013 quashing the impugned notification. He submitted that he is unable to comprehend what has been done and assured the Court that appropriate steps would be taken in this regard and he wanted some time. This is in connection with Subramanyapura Lake.

2. Insofar as W.P.No.32851/2013 is concerned, the said writ petitions are posted before this Court along with Public Interest Litigation and today we have listed those matters to be called on 05/09/2013 at 2.30 p.m.

3. Insofar as Karnataka Municipal

Corporations (Amendment) Act, 2013 is concerned, the assent of the Governor is received on 19/08/2013 and these amendments have become operational. Learned Advocate General submitted that the Government has issued an order to the Corporation to give wide publicity to this Rules and make the public aware of such law so that they could comply the same. In the meanwhile, learned counsel for the Corporation submits that the offices of the Corporation have been nominated to give effect to such Rules and prompt action would be taken. Similarly, the Karnataka Municipal Corporations (Ward) Committees Rules, 2013 have been notified, inviting objections from the public and immediately after the objections are received, the same would be finalized, so that the Ward Committees which are already constituted would know what their respective duties are and what they are expected to do under the said Rules, so that they could become active in implementing the said Rules.

4. Sri. Siddaiah, the Former Commissioner

of Brihat Bengaluru Mahanagar Palike who was requested to assist the Court, has submitted his report in compliance with the order passed on 27/05/2013, which is taken on record.

5. The second petitioner in W.P.No.46253/2012 has filed a memo enclosing several documents in respect of Subramanyapura Lake, which is also taken on record.

6. M/S/ Ramky Infrastructures India Pvt. Ltd., is a party in one of these writ petitions before this Court, who has been arrayed as respondent No.10 in W.P.No.46523/2012. They are duly served. It is alleged that after accepting the contract, they have done nothing to remove the garbage, but they have received the tipping fee. It is submitted that they have again made an attempt to receive tipping fee and they are working through M/s.Clean and Green Solutions Pvt. Ltd. There are several allegations made against this company. Under these circumstances, the Corporation is directed not to make any payment to them without

any further orders from this Court.

7. The Corporation is also directed to fix a tenure for the existing contractors and any further extension to the existing contractors in 41 packages who are allowed to continue because of the said packages/tenders have not been finalized. However, any further extension to those contractors should be with the prior permission of this Court.

8. Learned Counsel for the petitioner has filed a memo pointing out that orders of this Court has not been complied with in Mandur land filling and the carbage is burnt in open space which is affecting the interest of public at large. The Corporation has to look into these aspects of the matter and has to have a say in the matter.

9. It is submitted that objections have been filed to the report of the Expert Committee. The Corporation Commissioner to bring it to the notice of the Expert Committee, so that the experts can have a say in the matter.

List these matters on 20/09/2013.

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