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Land case: SC stays HC order against BSY

TIMES NEWS NETWORK
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New Delhi: In a huge relief for CM BS Yediyurappa, the Supreme Court on Monday stayed the Karnataka HC order directing a trial court to take cognisance of the chargesheet filed against him and others in the 10-year-old alleged IT park land denotification scam.

After hearing senior advocate KV Vishwanathan for Yediyurappa, a three-judge bench headed by Chief Justice SA Bobde ordered stay on further proceedings before the trial court. "Issue notice. In the meantime, there shall be stay of operation of the impugned order as well as stay of further proceedings in the criminal case," the SC said.

On March 17, Justice John Michael Cunha had faulted a

HC dismisses three pleas against DKS

In a relief to state Congress president DK Shivakumar, the Karnataka high court on Monday dismissed three criminal revision petitions filed by the income tax department against him. Justice John Michael Cunha dismissed the petitions, citing that no interference is called for. **P 4**

special court's order refusing to proceed against the CM in the case and ordered it to take cognisance of offences against him, and proceed on the basis of the chargesheet filed by the Lokayukta police in 2012.

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HC had asked trial court to act against BSY as per chargesheet

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The HC had also directed the special court to take cognisance of the offence against former minister Katta Subramanya Naidu in another illegal land denotification case as per the chargesheet on the basis of a petition filed by A Alam Pasha, who had questioned the special court's July 25, 2016, order declining to proceed against Yediyurappa and Naidu.

The Lokayukta police had accused Yediyurappa of illegally denotifying 20 acres in Hoovinayakanahalli village in Bengaluru north taluk, which was acquired to set up an IT park, causing huge loss to the exchequer.

Justice Cunha had said, "When the chargesheet was filed before the special court alleging commission of cognisable offences under the provisions of the Prevention of Corrupt Act, the special court has no discretion to choose to ig-

nore the cognisable offence staring on the face of the record and give reprieve to the accused on the flimsy ground that the allegations of the cognisable offences were not made in the complaint or in the FIR."

In his special leave petition, Yediyurappa had assailed the HC order and said it breached the mandate of Section 19 of the PC Act, which provides that no court can proceed against a public servant in a corruption case without prior sanction from the appropriate authority. He said he was and continued to be a public servant and, hence, the HC could not have directed the special court to take cognisance of the chargesheet without the Lokayukta police obtaining requisite sanction for prosecution.

The SC on January 17 had protected Yediyurappa from arrest in the same case. On Monday, the CJI-led bench tagged the SLP with Yediyurappa's pending petition.