# Supreme Court keeps plea pending in corruption case

## Decision comes hours before Yediyurappa's swearing-in as Karnataka CM

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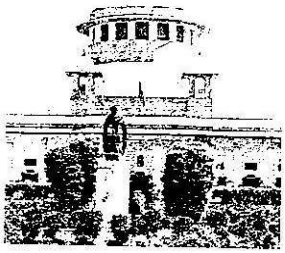
Hours before BJP leader B.S. Yediyurappa was scheduled to take oath as Karnataka Chief Minister, the Supreme Court on Friday decided to keep pending a plea to hear on merits a corruption and land grab case that cuts across the State's political spectrum, involving him and rival D.K. Shivakumar, a former Congress Minister.

"We are not influenced by any names or by anybody," Justice Arun Mishra, leading the Bench also comprising Justice M.R. Shah, stated.

The comment from the judge came after advocate Prashant Bhushan, who is representing NGO Samaj Parivartana Samudaya, which is intervening in the case, introduced Mr. Yediyurappa as the "next likely Chief Minister" of the State.

A few minutes later, senior advocate Mukul Rohatgi, for Mr. Yediyurappa, described his client as the "budding" Chief Minister of the State.



Mr. Shivakumar was present in the courtroom. Mr. Rohatgi said the NGO was unnecessarily trying to rekindle the case that was quashed by the Karnataka High Court in December 2015.

Senior advocate A.M. Singhvi, for Mr. Shivakumar, said the complainant in the case, Kabbalegowda, had further withdrawn his appeal in the Supreme Court on February 21. Mr. Bhushan, both Mr. Singhvi and Mr. Rohatgi joined forces to say, was earlier Mr. Kabbalegowda's lawyer and then shifted to the NGO's side after he withdrew the case.

Mr. Bhushan has maintained that Mr. Kabbalegowda was "compromised," and this led to his sudden withdrawal of the case from the Supreme Court.

Both senior lawyers asked how an intervenor NGO, which is not directly affected, can ask the Supreme Court to continue hearing the case and seek initiation of criminal proceedings against the leaders.

"The complainant withdrew the appeal almost a year ago... This NGO is just an intervenor and has no concern here," Mr. Rohatgi argued.

At this, Justice Mishra replied that "any person can come in a matter of corruption."

Justice Shah said the matter was withdrawn from the Supreme Court at the mentioning hour. It was not even on the list of cases for that day. The intervenor was not heard at the time.

But the court stopped short of passing any order, saying it would further look into the facts of the case. "We are not passing any orders for now, but will keep it pending," Justice Mishra said.

During the hearing, Mr. Bhushan pointed out to the Bench that neither the State Lokayukta nor the State government had challenged the Karnataka High Court decision in December 2015 to quash the entire proceedings in the case.

The case revolves around a piece of land measuring over five acres and dates back to 1962. The then purchaser decided to convert the land of over four acres from agricultural use to industrial. The Bangalore Development Authority (BDA) acquired the land in 1986. Despite the acquisition, Mr. Shivakumar, who was the then the Urban Development Minister, allegedly purchased the land from the original owner for ₹1.62 crore in 2003.

The complaint is that the land registration was done despite revenue documents showing that the land stood in BDA's name.