



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण NATIONAL HIGHWAYS AUTHORITY OF INDIA



(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)  
(MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, GOVT OF INDIA)  
क्षेत्रीय कार्यालय: नागसंद्रा मेट्रो स्टेशन के पीछे, बेंगलूरु-५६० ०७३.  
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No. NHAI/RO-BNG/Forest/25027(B)/10/2026-27/ 391

Date: 28.04.2026

To

The Principal Chief Conservator of Forests &  
Nodal Officer (FC),  
Karnataka Forest Department,  
Aranya Bhawan, 18th Cross,  
Malleshwaram, Bangalore - 560003.

**Sub:** Diversion of 2.5315 Ha additional forest land for Four-Laning of the Bangalore-Mangalore section of NH-48 (New NH-75) from Design Chainage Km 255.140 to Km 270.270 passing through reserve forest stretch of Four laning of Addahole (Near Gundya) (Existing Chainage Km. 263.000, Design Chainage Km. 255.- Compliance for according Stage II approval -Reg.

Ref:

1. MoEF& CC letter No F. No.4-KRB1313/2021-BAN/373 dated 09.01.2024.
2. W.P No 28952/2023(GM-RES) filed by Harishchandra Gowda & Anr. Vs NHAI & Ors. - before High Court of Karnataka at Bangalore
3. Hon'ble High court of Karnataka Order dated 02.04.2026.
4. Stage-I approval from IRO MoEF&CC letter dated 11.07.2023 (copy enclosed)
5. Forest Clearance proposal No. Proposal No: FP/KA/ROAD/120467/2021

Sir,

Gol vide letter dated 11.07.2023 accorded In-principle approval for diversion of 2.5315 Ha additional forest land for Four-Laning of the Bangalore-Mangalore section of NH-48 (New NH-75) from Design Chainage Km 255.140 to Km 270.270 passing through reserve forest stretch of Four laning of Addahole (Near Gundya) (Existing Chainage Km. 263.000, Design Chainage Km. 255+140) to Bantwala cross in favor of Project Director NHAI Mangalore.

1. As per Condition B.5 of Stage I approval user Elephant underpass shall be constructed at the cost of User Agency as per the location proposed by the State Forest Department. The EUP was proposed in 2.5315 Ha area.

2. In response of Stage-I approval the compliance of Stipulated condition was submitted by Project Director, NHAI PIU- Mangalore to the Deputy Conservator of Forest on 07.09.2023 with the request to seek final approval from IRO, MoEF&CC Bengaluru.

3. PCCF (HoFF) vide letter dated 08.11.2023 submitted the compliance report to GoK for onward submission to IRO, MoEF&CC Bangalore.

4. This has reference to MoEF & CC letter dated 09.01.2024 wherein it was intimated that *“Writ Petition No. 28952 of 2023 has been filed by Shri Harischandra Gowda and Others Vs. NHAI and others in the Hon’ble High Court of Karnataka seeking direction from Hon’ble High Court inter alia to quash the In principle approval/Stage-I approval accorded by this office vide its letter No.4-KRB1313/2021-BAN dated 11<sup>th</sup> July, 2023 for the above project. The writ petition is primarily on condition B(5) of in-principle approval i.e location of construction of Elephant Underpass. The matter was heard by the Hon’ble High Court on 26/12/2023 and Hon’ble Court has directed to maintain the status quo on the spot. Therefore, it is requested to direct the concerned to comply the orders of the Hon’ble High Court.*

Since the matter is subjudice, the proposal will be considered for processing for final approval only after the outcome of the Writ Petition filed in the Hon’ble High Court of Karnataka.”

5. *learned advocate for respondents-state stated in the statement of objection that “Therefore the respondents have proposed to the 1st respondent near Mannagundi timber depot in Porkala Reserve Forest and Padnur reserve. Based on the report the newly proposed location for elephant crossing point was jointly inspected by the Forest Department and NHAI on 2024 and finalized the site. In view of the proposal for change in location demarcated for elephant crossing the grievance of the petitioners regarding damage to their crop etc., does not survive for consideration at all. Therefore, this Writ Petition is liable to be dismissed as infructuous.”*

6. In light of submission made by Forest Department in W.P 28952 of 2023 , where State Forest Department has shifted the EUP location from Km 266+960 to the Mannagundi Timber Depot in Porkala Reserve Forest and Padnur Reserve Forest. As the EUP proposed under the current 2.5315 Ha diversion is being relocated to another location beyond 2.5315 Ha diverted forest land. Stage-II approval may kindly be accorded for the instant 2.5315 Ha proposal.

4. In this regard, it is to submitted that **Hon’ble High court on dated 02.04.2026 disposed off the W.P No 28952/2023(GM-RES) stating: The learned counsel appearing for the petitioners submits that in view of the further developments, the respondents have reconsidered the issue regarding location of the proposed under pass. He submits that the present petition may be disposed off.**

In view of the above, it is kindly requested to move the matter to MoEF& CC for obtaining Stage II approval towards Diversion of 2.5315 Ha additional forest land for Four-

Laning of the Bangalore-Mangalore section of NH-48 (New NH-75) from Design Chainage Km 255.140 to Km 270.270 passing through reserve forest stretch.

Encl: As above

Thanking you,

Yours faithfully,



(V. P. Brahmanekar)  
Regional Officer  
NHAI, RO-Bengaluru

**Copy to:**

1. Deputy Director General of Forests (C), IRO MoEF & CC, Bangalore- for information please
2. Principal Chief Conservator of Forests (HOFF), 4th Floor, Aranya Bhavan, Malleshwaram 18th cross, Bengaluru 560003, Email id: [pccfkar@gmail.com](mailto:pccfkar@gmail.com)
3. The Deputy Conservator of Forest, Mangalore Division, Mangalore- For information please
4. Project Director, NHAI, PIU-Mangalore: for information and follow-up.



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 2<sup>ND</sup> DAY OF APRIL, 2026**

**PRESENT**

**THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE**

**AND**

**THE HON'BLE MR. JUSTICE C.M. POONACHA**

**WRIT PETITION NO. 28952 OF 2023 (GM-RES-PIL)**

**BETWEEN:**

1. HARISCHANDRA GOWDA  
AGED ABOUT 55 YEARS  
S/O LATE NARAYANA GOWDA  
RESIDING AT KALENJALU VILLAGE  
REKHYA, BELTHANGADI  
KARNATAKA - 574 229

2. JOSE M.J.  
AGED 56 YEARS  
S/O LATE O.M. JOSEPH  
# 2-1, MAYALI HOUSE  
REKHYA POST  
PRESENTLY KADABA TALUK  
KARNATAKA - 574 221

Digitally  
signed by  
SRIDEVI S

Location:  
High Court  
of Karnataka

...PETITIONERS

(BY SRI M.T. JAGAN MOHAN, ADVOCATE)

**AND:**

1. NATIONAL HIGHWAY AUTHORITIES OF INDIA  
(MINISTRY OF ROAD TRANSPORT &  
HIGHWAY AUTHORITIES OF INDIA)  
PROJECT IMPLEMENTATION UNIT MANGALORE  
DOOR - NO. 3-29, BETHEL THARETHOTA  
NEAR PUMPWELL (NH -66)



MANGALORE 575002  
REPRESENTED BY ITS DGM (T) AND  
PROJECT MANAGER

2. CONSERVATOR OF FORESTS  
KARNATAKA FOREST DEPARTMENT  
OFFICE OF CONSERVATOR OF FORESTS  
MANGALORE CIRCLE  
ARNAYA BHAVANA  
ALAPE, PADIL  
MANGALORE - 575 007
  
3. DEPUTY INSPECTOR GENERAL OF  
FORESTS (CENTRAL)  
MINISTRY OF ENVIRONMENT AND FOREST  
AND CLIMATE CHANGE  
REGIONAL OFFICE  
KENDRIYA SADANA  
IV FLOOR, E AND F WINGS  
17<sup>TH</sup> MAIN ROAD, 2<sup>ND</sup> BLOCK  
KORAMANGALA  
BANGALORE - 560 034

...RESPONDENTS

(BY SRI HANUMANTHA REDDY G, ADVOCATE FOR R-1;  
Ms. NILOUFER AKBAR, AGA FOR R-2 &  
Ms. RESHMA THAMMAIAH, ADVOCATE FOR R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER PASSED BY THE 1<sup>ST</sup> RESEPONDENT HAVING NUMBER 17012/1/2020/PIU(Mnglr)757 (HAVING PROPOSAL NO. FP/KA/Road/120467/2021) DATED 30/03/2023, A TRUE COPY OF THE SAME IS PRODUCED AT ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,  
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE  
and  
HON'BLE MR. JUSTICE C.M. POONACHA

**ORAL ORDER**

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The learned counsel appearing for the petitioners submits that in view of the further developments, the respondents have reconsidered the issue regarding location of the proposed under pass. He submits that the present petition may be disposed of.
2. The present petition is accordingly disposed of.
3. Pending applications shall stand disposed of.

**Sd/-  
(VIBHU BAKHRU)  
CHIEF JUSTICE**

**Sd/-  
(C.M. POONACHA)  
JUDGE**

sd  
List No.: 1 SI No.: 54