



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

REVIEW PETITION NO.16 OF 2026

BETWEEN:

SMT. KEMPAMMA W/O. SINGRI GOWDA,
AGED ABOUT 80 YEARS, CL-9, LICENSEE,
SANKRANTHI BAR AND RESTAURANT,
K.M.DODDI - 571 422, MADDUR,
TALUK: MANDYA.

... PETITIONER

(BY SMT.SHILPA S. GOGI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY ITS CHIEF SECRETARY,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE EXCISE COMMISSIONER
IN KARNATAKA,
2ND FLOOR, TTMC, A BLOCK,
BMTC BUILDING, SHANTINAGAR,
BENGALURU - 560 027.
3. THE DEPUTY COMMISSIONER OF EXCISE,
MANDYA DISTRICT,
MANDYA 571 401.
4. THE INSPECTOR OF EXCISE,
MADDUR RANGE,
MADDUR - 571 428.



5. SMT. SHRUTHI B. D/O. LATE BETTAIAH,
W/O. NAVEEN KUMAR. R,
AGED ABOUT 27 YEARS,
R/AT AT K.M. DODDI,
C.A. KERE HOBLI, MADDUR TALUK,

NOW R/AT 3RD MAIN, 4TH CROSS,
NEAR GANAPATHI TEMPLE,
SANTHI NAGAR,
TUMKUR-572 102.

6. SMT. KALYANI D/O. LATE. BETTAIAH,
W/O. S. NANDEESH,
AGED ABOUT 25 YEARS,
R/AT: AT K.M. DODDI,
C.A. KERE HOBLI, MADDUR TALUK,

NOW R/AT C/O. CHITTUR REDDY,
NO. 22, ANNAIAH REDDY LAYOUT,
10TH MAIN ROAD, 100 FEET ROAD,
BASAVANAGUDI, BANGALORE 560 043.

7. THE DEPOT MANAGER,
KARNATAKA STATE BEVERAGES
CORPORATION LTD., INDAVALU,
MANDYA TALUK,
MANDYA DISTRICT - 571 401.

...RESPONDENTS

(BY SRI B.S. GURUSWAMY, AGA FOR R1 TO R4;
SRI B.N. SHETTY, ADV. FOR R5 & R6;
NOTICE TO R7 IS SERVED)

THIS REVIEW PETITION IS FILED UNDER SECTION 114 AND
ORDER 47 RULE 1 OF C.P.C. PRAYING TO CALL FOR RECORDS AND
REVIEW THE ORDER DATED 08.09.2025 PASSED IN
W.P.NO.17321/2024 IN ANNEXURE - B AND RESTORE THE WRIT
PETITION NO.17621/2024 AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI



ORAL ORDER

Challenging order dated 08.09.2025 passed by this Court in W.P.no.17621/2024, this review petition is filed.

2. Smt.Shilpa S. Gogi, learned counsel for petitioner submitted that WP no.17621/2024 was filed seeking for follows reliefs:

- a. Issue a writ of certiorari or any other writ, order or direction, quashing the Order dated 04.06.2024 in No.EXE/MDY/IML/145/2018-19 as per Annexure-R passed by the Respondent No.3 and consequently;
- b. Issue a writ of mandamus or any other writ, order or direction, directing the respondent No.3 to permit the petitioner to apply for renewal of the License in Form CL-9 as per Annexure-S in No.ES2023070213 dated 06.07.2023 and consequently renew the same for the Excise Year 2024-25.
- c. Issue a writ of mandamus or any other writ, order or direction, directing the Respondent No.7 to uninterruptedly supply the required Indian made Liquor to the petitioner in the event of renewal of the License in Form CL-9 by the Respondent No.3 as sought for by the petitioner.

3. It was submitted, when matter was taken up for consideration on 08.09.2025, learned counsel for petitioner was indisposed and taking note of submission of learned counsel for respondents that excise license had not been renewed since



two years and no application for renewal was filed by petitioner and pending nor order of renewal passed, writ petition was dismissed as having become infructuous.

4. It was submitted, since petitioner was challenging legality of order dated 04.06.2024, whereunder respondent no.3 had directed to entry of name of Shruti B and KB Kalyani along with petitioner in CL-9 license. It was submitted, regardless of non-renewal of license, right to seek renewal would subsist. Therefore, writ petition could not be treated as having become infructuous and therefore, submits impugned order calls for review.

5. Apart from above, learned counsel sought to rely on representations filed by petitioner staking her claim for renewal, produced along with memo, and reiterated, that petitioner had not yet abandoned her right over CL-9 License.

6. On other hand, Sri BS Guruswamy, learned AGA for respondents no.1 to 4 as well as Sri BN Shetty, learned counsel for respondents no.5 and 6 would reiterate submission that due to non-renewal/non-filing of application for renewal subject



matter of writ petition was rendered academic and therefore writ petition was rightly dismissed as infructuous

7. It was further submitted, entry of name of Shruti B and KB Kalyani along with petitioner was in pursuance of directions by this Court and petitioner being one of legal heirs of license holder could not claim to be aggrieved by same. Hence, there were no grounds for review.

8. Heard learned counsel and perused petition.

9. It is settled law that in a review petition, petitioner would require to establish error apparent on face of record. Only ground urged by petitioner is about disposal of writ petition without adjudicating prayer (a).

10. But, it is seen under order impugned in writ petition, respondent no.3 had ordered for entry of name of respondents no.5 and 6 along with petitioner in CL-9 license held earlier by petitioner's son. Shruti B and KB Kalyani being children of CL-9 license holder. Though various contentions are urged about right of petitioner *vis-a-vis* respondents no.5 and 6 in respect of said license, claim of licensees are considered live



only when license is subsisting or atleast application for renewal is filed and pending.

11. As per respondents, no application is filed for renewal either by petitioner or by respondents no.5 and 6 and license has since lapsed. Therefore, dismissal of writ petition as infructuous would not admit of any error apparent on face of record to entertain review petition.

12. Hence, review petition is ***dismissed***.

**Sd/-
(RAVI V HOSMANI)
JUDGE**

GRD/ CT: ASC
List No.: 19 Sl No.: 2