

Reserved on : 28.07.2026 & 13.07.2026

Pronounced on : 11.08.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

REVIEW PETITION NO. 226 OF 2026

C/W

REVIEW PETITION NO. 227 OF 2026

IN RP No. 226/2026

BETWEEN:

VEERABHADRAPPA,
S/O UMESHAPPA K.,
AGED ABOUT 52 YEARS,
EX-CHAIRMAN,
AHANA SOUHARDA CREDIT
CO-OPERATIVE LTD.,
AS PER ADHAR CARD ADDRESS
RESIDING AT NEAR JNANADEEPA SCHOOL,
CHITIWADAGI, HOSPET - 583 201.
DISTRICT : VIJAYANAGAR.

...PETITIONER

(BY SRI. S.V. DESAI., ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER AND
SPECIAL OFFICER OF IMA,
THE COMPETENT AUTHORITY,
FOR AHANA SOUHARDHA CREDIT
CO-OPERATIVE SOCIETY LTD,
HOSPETE, VIJAYANAGARA DISTRICT,
3RD FLOOR, MINI V.V. TOWER,
PODIUM BLOCK, DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. SMT. CHAIRTRA,
W/O. RAMACHANDRA,
AGED ABOUT 45 YEARS,
C/O. MARIGAPPA,
OPP- GOVT. SCHOOL BASAVANA SADANA,
M.P.PRAKASH NAGAR,
HOSPET - 583 201.
3. AHANA SOUHARDA CREDIT
CREDIT CO-OPERATIVE LTD.,
H.NO.483, ANNAAPURNA NILAYA,
100 BED HOSPITAL ROAD,
CV HERO HONDA SHOW ROOM,
HOSPET - 583 201.
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER.

...RESPONDENTS

THIS REVIEW PETITION IS FILED UNDER SECTION.114 R/W ORDER 47 RULE 1 & 2 OF CPC 1908, PRAYING TO REVIEW THE ORDER DATED:13.03.2026 (ANNEXURE-A) PASSED IN WP NO.17419/2025 PASSED BY THE HON'BLE COURT BY REVIEWING THE SAID ORDER AND REMAND THE MATTER TO THE SINGLE JUDGE.

IN RP NO. 227/2026

BETWEEN:

VEERABHADRAPPA,
S/O. UMESHAPPA K.
AGED ABOUT - 52 YEARS
EX-CHAIRMAN, AHANA SOUHARDA
CREDIT CO-OPERATIVE LTD.,
AS PER ADHAR CARD ADDRESS
RESIDING AT NEAR JNANADEEPA
SCHOOL, CHITIWADAGI, HOSPET-583201
DIST. VIJAYANAGAR

...PETITIONER

(BY SRI. S.V. DESAI, ADVOCATE)

AND:

1. THE ASST. COMMISSIONER
AND SPECIAL OFFICER OF IMA
THE COMPETENT AUTHORITY
FOR AHANA SOUHARDHA CREDIT
CO-OPERATIVE SOCIETY LTD,
HOSPETE, VIJAYANAGARA DISTRICT,
3RD FLOOR, MINI V.V. TOWER,
PODIUM BLOCK,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001
2. RAMACHANDRA .K.
S/O. PARAMESHWARAPPA .K.
AGED ABOUT 55 YEARS,
C/O. MARIGAPPA,
OPP - GOVT. SCHOOL
BASAVANA SADANA,
M. P. PRAKASH NAGAR,
HOSPET - 583 201
3. AHANA SOUHARDA CREDIT
CREDIT CO-OPERATIVE LTD.,
H.NO.483, ANNAAPURNA NILAYA,
100 BED HOSPITAL ROAD,
CV HERO HONDA SHOW ROOM,
HOSPET - 583 201.
REPRESENTED BY ITS CEO

...RESPONDENTS

THIS REVIEW PETITION IS FILED UNDER
SECTION.114 R/W ORDER 47 RULE 1 OF CPC 1908,
PRAYING TO REVIEW THE ORDER DATED 13.03.2026
(ANNEXURE M) PASSED IN WP NO.17523/2025 PASSED BY
THIS HONBLE COURT AND REMAND THE MATTER TO THE
SINGLE JUDGE.

THESE PETITIONS HAVING BEEN HEARD AND RESERVED FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT IS DELIVERED/PRONOUNCED AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

CAV JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

These two review petitions filed by the petitioners in W.P.No.17419/2025 and W.P.No.17523/2025, which were disposed of by a common order dated 13.03.2026 passed by this Court along with other connected matters. None other than these two petitioners in petition and accepted the order.

2. By the order sought this review, this Court taking into consideration of the judgment in W.P.No.8338/2023 dated 05.11.2025, dismissed the writ petition holding that there is no conflict or that consumers are barred from approaching the forums available under the Consumer Protection Act, 1996 in respect of non-payment of their dues by the Co-operative Societies.

3. Heard Sri.S.V.Desai, learned counsel for review petitioners in both the review petitions.

4. The review petitioners filed these review petitions taking the following grounds:

"i) The impugned order Dt.13-03-2026 passed in W.P.No.17419 /2025 (Annexure -'A') passed by this Hon'ble Court is illegal, arbitrary, contrary to Section 42 of Karnatka Souharda Sahakari Act, 1997, the Precedent laid down by the Apex Court, contrary to law, not a speaking order, abusive, unsustainable and liable to be quashed.

ii) This Hon'ble Court Relied the earlier order Dt.05-11-2025 passed in W.P.No.8338/2023, though it was different and distinct case and not applies to the Present case on hand. Hence there is a Prima facie error apparent on the face of the record.

iii) On 13-03-2026 the Main connected case W.P.No. 26104/2023 & other cases C/w W.P.Nos..17523/2025 17419/2025 &17778/2025 the present petitioner's counsel specifically submitted by seeking De-link OR Detach the above cases from main matter W.P.No.26104/2023. But, this Hon'ble court simply brushed aside the said submission and snubbed the advocate. Therefore the court committed a grave error in Depriving the right of the advocate in addressing the argument.

iv) That in the impugned Oral order at internal Page No.35 described and referred Only one case i.e,

CC.No.39/2016 and Appeal No.166/2018 only which are not pertaining to the present petitioner. Hence it suffices that this Hon'ble court not heard the case of other Petitioners and failed to examine to find out the facts of each petitioner which are connected matters. Hence the entire order reflects Only One Case of Dist. Consumer CC No.39/2016 order Dt.01-07-2016 and State Consumer Disputes Redressal Commission Disputes Redressal Commission in Appeal No.166/2018 order Dt.11-09-2019. The said case pertaining to W.P.No.26104 / 2022. Hence it suffices that the court order in respect only One Writ Petition. Therefore the court committed an error for not hearing, failed to examine the facts and the averments of the Writ Petition and failed to consider the Documents produced therein in respect of the Petitioner's case W.P.Nos..17523 2025,17419/2025 &17778/2025 ., and also other connected matters. Therefore the impugned order is unsustainable.

v) That W.P.No.17523/2025 On 27-06-2025 the petitioner has filed an I.A.No.1/2025 to implead the Official Liquidator who has been appointed by the Joint Director of Co-Operative Societys, Kalburgi Division has passed an order Dt.13-02-2025 Under Section - 48 of Karnataka Souharda Sahakari Act, 1977 for Winding up of the Ahaana Souharda Credit Co-Operative Ltd. The said order has been produced and marked as Annexure- L and also in the present petition submitted. Therefore the Liquidator is whole and sole to manage the affairs of the said Society. That as per Section - 42 of Karnataka Souharda Sahakari Act, 1977 : Bar of Jurisdiction of Courts. Hence the Dist. Consumer Disputes Redressal Commission has no jurisdiction to Enforce the Order Dt.27-07-2023 Passed

in CC.No.143/2022 and can not pass an order for NBW against the petitioner in Ex. Petition No.38/2023.

xxxxxx

x) The court failed to examine that petitioner's case is under liquidation and also bar of Jurisdiction of Courts & due to the mistake of the Court the petitioner has been landed in great trouble and further pushed to the financial stress suffered heavily by struggling to file the above case and it lead to the multiplicity of disputes.

xi) The court orally simply Referred their stand in earlier Order Dt.05-11-2025 passed in W.P.No.8338/2023 determined to pass an order by refusing to grant time to the some counsel who requested in other matters. Hence the Court committed a grave error for not willing to hear the Advocates to address the argument and declined to give adjournment and failed to examine an Individual case/s. Therefore it is implied that in the impugned order only one case property has been covered and petitioner's case has not been covered. Hence great Irregularity has been occurred."

5. Sri.S.V.Desai, in order to buttress his argument relied on the judgment of Supreme Court in Civil Appeal No.4841/20023, to contend that when there are allegations of criminal acts and tortious acts, the Consumer Commission lacks jurisdiction to dwell upon the tortious acts or criminal acts like

fraud or cheating and as such the complaint as framed is not maintainable.

6. It is trite law that any decision in law subsequent to disposal of the case cannot be a circumstance to seek review. If the contentions of the review petitioners are considered there would be no end to the litigation. Following the judgment of this Court in W.P.No.8338/2022 disposed on 05.11.2025, wherein this Court considered the identical case that there is no conflict between the provisions of the Karnataka Protection of Interest of Depositors in Financial Establishments Act, 2004, the Consumer Protection Act, 1986 and the Consumer Protection Act, 2019, holding that the counsel who has taken the said contention is unable to sustain the same.

7. Further, Section 100 of Consumer Protection Act, 2019, provides that the provisions of Consumer Protection Act are in addition to, and not in derogation of, any other law for the time being in force.

8. Section 114 read with Order XLVII of the Code of Civil Procedure, 1908, are manifestly states that under the garb of review, merits of case cannot be sought to be reopened. It is only the error apparent on the face of the record which is crept in the order, is required to be reviewed and not more than that.

The contentions now taken are in the form of allegations against the Court that the Court has not provided opportunity to the petitioners to submit their submissions. All the submissions now made before this Court are one and the same which has already been taken and considered by this Court. Our view gains support with the law laid down by the Supreme Court. We find no reason to review the order.

9. Our view gains support with the law laid down by the Supreme Court in **RAJENDER KUMAR AND OTHERS Vs. RAMBHAI AND OTHERS**¹, at paragraph No.6 held that *"the limitations on exercise of the power of review are well settled. The first and foremost requirement of entertaining a review petition is that the order, review of which is sought, suffers from any error apparent on the face of the order and permitting the order to stand will lead to failure of justice. In the absence of any such error, finality attached to the judgment/order cannot be disturbed"*.

10. Further, the Supreme Court in **HARIDAS DAS Vs. USHA RANI BANIK (SMT) AND OTHERS**², following the

¹ (2007) 15 SCC 513

² (2006) 4 SCC 78

observation made in the judgment of **LAXMINARAYAN HEGDE Vs. MILLIKARJUN BHAVANAPPA TIRAUMALE**³, held that *an error apparent on the face of the record for acquiring jurisdiction to review must be such an error which may strike one on a mere looking at the record and would not require any long-drawn process of reasoning*. The contentions raised in these Review Petitions are also hit by Order XLVII Rule 4, sub-Rule (2), proviso (b) of Code of Civil Procedure, 1908, as the contentions raised falls short to the ingredients contemplated therein.

11. In that view of the matter, we **dismiss** these review petitions, however, without any costs given the facts and circumstances of the case.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RR

³ (1960) 1 SCR 890: AIR 1960 SC 137