



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

REVIEW PETITION NO. 241 OF 2025

BETWEEN:

SRI. UPENDRA ACHAR,
S/O. MOODAHANGALUR,
AGED ABOUT 70 YEARS,
R/AT ANKADAKATTE ROAD,
HANGALUR POST,
KUNDAPURA TALUK,
UDUPI DISTRICT-576101.

...PETITIONER

(BY SRI. NAGARAJA H.R., ADVOCATE)

AND:

1. THE BRANCH MANAGER
UNITED INDIA INSURANCE CO. LTD.,
BRANCH OFFICE:
BHATKAL BY DIVISIONAL OFFICE,
JEWEL PLAZA, MARUTHI VITHIKA,
UDUPI.
REPRESENTED BY ITS
BRANCH MANAGER.

2. SRI. MOHAMMED FARHAN,
S/O. MOHAMMED ASLAM,
AGED ABOUT 40 YEARS,
R/AT GOODLUCK CROSS,
CRYSTAL COMPLEX,
NAVYAT COLONY,
BHATKAL TALUK,
U.K.DISTRICT-581 320.

...RESPONDENTS



THIS REVIEW PETITION UNDER ORDER 47, RULE 1 OF THE CODE OF CIVIL PROCEDURE.

THIS REVIEW PETITION IS LISTED FOR ORDERS, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Nagaraja.H.R., counsel for the review petitioner has appeared in person.

2. The captioned Review Petition is listed today for orders regarding condonation of delay, and it is heard finally.

Counsel for the review petitioner submits that there is a delay of 422 days in filing the petition. The reasons for such delay are duly set out in the affidavit accompanying the petition. Hence, this Court may be pleased to take note of the same and condone the delay in the interest of justice.

On the merits of the matter, it is urged that the notice was not served upon the review petitioner, thereby depriving him of an opportunity to contest the proceedings. Counsel further submits that the petitioner had assailed the order of the Tribunal in MFA No.5231/2014, wherein this Court was pleased to allow the appeal in part. Building upon those



grounds, it is now contended that additional grounds have arisen which warrant consideration. Accordingly, it is submitted that the order under review requires reconsideration and modification.

3. Heard and perused the papers with care.
4. The following Points would arise for consideration
 1. Whether the review petitioner has shown sufficient cause to condone the delay of 422 days in filing the review petition.
 2. Whether the reasons stated in the supporting affidavit, namely, lack of knowledge of the disposal of the appeal until March 2024, constitute valid grounds for condonation of delay.
 3. Whether the order dated 19.03.2024 passed by this Court in MFA No. 4735/2014 suffers from any error apparent on the face of the record warranting review.
 4. Whether the contention regarding the disposal of another appeal can furnish a sustainable ground for reopening the order under review.



5. The appeal was disposed of on 19th March 2024. The present review petition was filed on 16th June 2025, resulting in a delay of 422 days, i.e., more than one year.

6. In the affidavit filed in support of the petition, it is stated that the review petitioner was not aware of the proceedings and came to know about the disposal of the appeal only in March 2024. On that basis, it is prayed that the delay be condoned. In my considered view, the reasons accorded in the affidavit do not constitute sufficient cause to condone such delay. Even assuming that the review petitioner came to know of the disposal of the appeal in March 2024, the petition was filed only in June 2025, thereby occasioning further unexplained delay.

The review petition seeks reconsideration of the order dated 19.03.2024 passed by this Court in MFA No.4735/2014. The review petitioner was the first respondent in the appeal. Records disclose that he was duly served but remained unrepresented. He neither engaged counsel nor appeared in person to contest the matter. The appeal was accordingly disposed of on the merits.



There is no error apparent on the face of the record warranting review. The contention regarding the disposal of another appeal cannot furnish a ground to reopen the order under review.

7. Accordingly, the review petition is devoid of merit and is ***rejected.***

SD/-
(JYOTI M)
JUDGE

SS
List No.: 1 Sl No.: 38