



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

REVIEW PETITION NO. 355 OF 2025

BETWEEN:

SRI. BASAPPA
S/O. BHARMAPPA,
AGED ABOUT 70 YEARS,
AGRICULTURIST,
R/AT INDIRANAGARA,
GAJANUR, MULLAKERE,
SHIVAMOGGA TALUK AND DISTRICT-577 202.

...PETITIONER

(BY SRI. VIJAYA KUMAR.T.M., ADVOCATE)

AND:

SRI. BASAVARAJAPPA
S/O. THIMMA BHOVI,
AGED ABOUT 45 YEARS,
AGRICULTURIST,
R/AT INDIRANAGARA,
GAJANUR-MULLAKERE,
SHIVAMOGGA TALUK AND DISTRICT-577 202.

...RESPONDENT

Digitally signed
by KIRAN
KUMAR
Location: HIGH
COURT OF
KARNATAKA

THIS RP IS FILED UNDER SECTION 114 R/W ORDER 47
RULE 1 OF CPC, 1908 PRAYING TO REVIEW PETITION AND
RECALL THE ORDER DATED 10.03.2025 PASSED BY THIS
HON'BLE COURT IN RSA NO.59/2025 AND HEAR THE RSA
NO.59/2025 ON MERITS BY RESTORING THE SAME ON ITS
FILE AND PASS SUCH OTHER ORDERS THAT THIS HON'BLE
COURT DEEMS FIT TO GRANT IN THE FACTS AND
CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE
AND EQUITY.



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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. The petitioner filed this review petition to review the judgment dated 10.03.2025 passed in RSA No.59 of 2025 on the ground that the petitioner was suffering from ailments and could not file the second appeal in time.
2. The petitioner filed the second appeal along with an application for condonation of delay. This Court rejected the application for condonation of delay and consequently, dismissed the appeal. Hence, this review petition.
3. Heard the arguments of the learned counsel for the petitioner.
4. Learned counsel for the petitioner submits that the petitioner was unwell and he was taking treatment and as such, he could not produce the medical



certificate. This Court rejected the application for condonation of delay and consequently, dismissed the appeal. The petitioner produced a medical certificate to demonstrate that he was unwell. Thus, there is an error apparent on the face of record. Hence, prays to allow the review petition.

5. Perused the records and considered the submissions of the learned counsel for the petitioner.
6. The petitioner preferred the regular second appeal along with an application for condonation of delay, stating that the petitioner was unwell. However, the said application was not supported by a medical certificate. This Court rejected the application for condonation of delay and consequently, dismissed the appeal.
7. The medical records produced by the petitioner clearly disclose that the petitioner was inpatient for only two days i.e., from 14.09.2018 to 15.09.2018.



He was admitted again on 25.09.2023 and discharged on 27.09.2023. He was admitted on 26.10.2023 and discharged on 30.10.2023. The First Appellate Court disposed of the Regular Appeal on 15.12.2022. The Regular Second Appeal was filed in 2025. The petitioner was not suffering from any serious ailment.

8. I have perused the impugned judgment, and I do not find any error apparent on the face of the record.
9. Accordingly, the review petition is ***dismissed***.
10. In view of the dismissal of the petition, pending interlocutory applications, if any, do not survive for consideration and accordingly disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
List No.: 1 Sl No.: 11