



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

REVIEW PETITION NO.536/2025

BETWEEN:

SMT. SARASWATHAMMA
W/O LATE RAMANNA
AGED ABOUT 68 YEARS
R/AT NO.6-1, B.K.PALYA
JALA HOBLI, BANDI KODIGEHALI
BENGALURU-562 149.

...PETITIONER

(BY SRI. MUNIRAJA M, ADV.,)

AND:

1. THE STATE OF KARNATAKA
REP. BY SECRETARY TO
REVENUE DEPARTMENT
M.S. BUILDING, AMBEDKAR VEEDHI
BENGALURU-560001.
2. THE SPECIAL DEPUTY COMMISSIONER
BENGALURU NORTH SUB DIVISION
M.S. BUILDING, AMBEDKAR VEDHI
BENGLAURU-560001.
3. THE SPECIAL LAND ACQUISITIONS
OFFICER-II
KARNATAKA INDUSTRIAL AREAS

Digitally signed
by RUPA V
Location:
HIGH COURT
OF
KARNATAKA



DEVELOPMENT BOARD
SCOUTS AND GUIDES BUILDING
MAHARANI COLLEGE ROAD
4TH FLOOR, EAST WINGS
RACE COURSE ROAD
BENGALURU - 560001.

4. THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
REP. BY ITS CHIEF EXECUTIVE OFFICER
NO.49, KHANIJA BHAVANA, V FLOOR
EAST WING, RACE COURSE ROAD
BENGALURU-560 001.

5. THE TAHSILDAR
YELAHANKA TALUK, JALA HOBLI
BENGALURU NORTH TALUK -560064.

...RESPONDENTS

(BY SRI. MANJUNATH RAYAPPA, AGA FOR R1, R2 & R5
SRI. D.L.N. RAO, SR. COUNSEL FOR
SRI. P.V. CHANDRASHEKAR, ADV., FOR R3 & R4)

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THIS REVIEW PETITION IS FILED UNDER SECTION 114
AND ORDER XLVII RULE 1 OF CPC 1908, PRAYING TO REVIEW
THE JUDGMENT DATED 27.10.2025, PASSED BY THIS HON'BLE
COURT IN WA NO.830/2023 (LA-KIADB). ALLOW THIS REVIEW
PETITION AND GRANT SUCH OTHER AND FURTHER RELIEF AS
THIS HONBLE COURT MAY DEEMS FIT UNDER THE FACTS AND
CIRCUMSTANCES OF THE ABOVE CASE IN THE INTEREST OF
JUSTICE AND EQUITY & ETC.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL



ORAL ORDER

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

This review petition is filed under Order XLVII Rule 1 read with Section 114 of the Code of Civil Procedure, 1908 (for short 'the CPC'), by the petitioner seeking to review the judgment dated 27.10.2025 passed in W.A No.830/2023.

2. Sri.Muniraja M., learned counsel for the petitioner submits that the respondent-authorities acquired the land in the year 2006. However, the name of the petitioner was not shown in the notification and after the revenue proceedings, the name of the petitioner was reflected in the revenue records and thereafter, writ petition came to be filed. The learned Single Judge allowed the writ petition. Being aggrieved, a writ appeal came to be filed and this Court, vide the judgment under review, allowed the writ appeal by directing the respondents to pay the interest from 2008. It is submitted that in respect of the similarly placed land losers, the



Karnataka Industrial Areas Development Board (KIADB) issued a preliminary notification in the year 2021 and an award was passed by determining the market value at Rs.2.35 Crores per acre and the said compensation is required to be paid to the petitioner. Hence, he seeks to review the judgment dated 27.10.2025. In support of his contentions, he placed reliance on the decision of the Hon'ble Supreme Court in the case of **ANDANAYYA AND ORS. Vs. DEPUTY CHIEF ENGINEER AND ORS.¹**.

3. Sri.D.L.N.Rao, learned Senior counsel appearing for Sri.P.V.Chandrashekar, learned counsel for the respondent Nos.3 and 4 submits that there is no error apparent on the face of the record to entertain the review petition. It is submitted that the petitioner, in the writ appeal at ground No.11 pleaded that the appellant/petitioner would be entitled to the compensation by considering 2006 as the date and now, the petitioner cannot turn around and submit that in some other cases,

¹ 2026 INSC 293



higher compensation is paid and hence, the review petition be allowed. It is further submitted that in one case if higher compensation is paid by the respondent-Authorities, it would not be a ground to allow the review petition in the absence of any material particulars with regard to the case relied on by the petitioner. In support of his contentions, he placed reliance on the decision of the Hon'ble Supreme Court in the case of ***STATE OF ORISSA AND OTHERS Vs. PRASANA KUMAR SAHOO², ANAND BUTTONS LTD. Vs. STATE OF HARYANA AND OTHERS³*** and ***GURSHARAN SINGH AND OTHERS Vs. NEW DELHI MUNICIPAL COMMITTEE AND OTHERS⁴***. Hence, he seeks to dismiss the petition.

4. We have heard the arguments of the learned counsel for the petitioner, the learned Senior counsel for the respondent Nos.3 and 4 and meticulously perused the material available on record.

² (2007) 15 SCC 129

³ (2005) 9 SCC 164

⁴ (1996) 2 SCC 459



5. The petitioner filed a writ petition seeking a direction to the respondents to notify the land of the petitioner, fix and pay the market value of the said land. The said writ petition came to be allowed on 13.06.2023 by referring to the other judgments rendered in the case of similarly placed land losers. The compensation was ordered to be paid at Rs.62,00,000/- per acre with interest at 9% p.a. from the date of taking possession i.e. 16.06.2015. Challenging the same, the petitioner filed a writ appeal. The writ appeal came to be disposed of vide judgment dated 27.10.2025 referring to the decision in the case of **SMT.ERAMMA Vs. STATE OF KARNATAKA**⁵ by directing the respondent-KIADB to pay the interest from 21.11.2008. A perusal of the judgment indicates that the petitioner has placed reliance on the decision rendered by the Co-ordinate Bench in the case of **SMT.ERAMMA** and insisted for payment of interest from the date of taking possession which was considered and the writ appeal was

⁵ W.A.No.1035/23 dt. 06.02.24



disposed of. Now, the petitioner is seeking to review the said judgment on the ground that the similarly placed land losers have received higher compensation. In our considered view, such a contention cannot be a ground to review the judgment dated 27.10.2025.

6. The Hon'ble Supreme Court in the case of **SANJAY KUMAR AGARWAL Vs. STATE TAX OFFICER AND OTHERS⁶** at paragraph 16 has held as under:

"16. The gist of the aforestated decisions is that:

***16.1.** A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.*

***16.2.** A judgment pronounced by the court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.*

***16.3.** An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.*

***16.4.** In exercise of the jurisdiction under Order 47 Rule 1CPC, it is not permissible for an erroneous decision to be "reheard and corrected".*

⁶ (2024) 2 SCC 362



16.5. *A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise".*

16.6. *Under the guise of review, the petitioner cannot be permitted to reagitate and reargue the questions which have already been addressed and decided.*

16.7. *An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.*

16.8. *Even the change in law or subsequent decision/judgment of a coordinate or larger Bench by itself cannot be regarded as a ground for review."*

7. Considering the rival submissions and taking note of the judgment under review, we are of the view that the petitioner is unable to point out any error apparent on the face of record to review the judgment. It is trite law that the petitioner cannot request this Court to re-hear the appeal on merits and thereafter, correct the judgment by considering the material which was never placed before the learned Single Judge. The review petition cannot be allowed to be converted into re-hearing the appeal and we do not find any error in the judgment dated 27.10.2025. In the absence of any error, we do not



propose to consider the authorities referred by the parties
in this proceeding.

8. Accordingly, the review petition is devoid of
merit and the same is rejected.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

RV
List No.: 1 Sl No.: 1