IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

REVIEW PETITION NO.553 OF 2025

BETWEEN:

DR. LEELAVATHI V.
W/O. DR. N.NAVEEN,
AGED ABOUT 54 YEARS,
WORKING AS ASSISTANT PROFESSOR,
INSTITUTE OF NEPHRO UROLOGY,
VICTORIA HOSPITAL CAMPUS,
BENGALURU-560 002.

...PETITIONER

(BY SRI. SRIKANTH M.P., ADV.)

AND:

1 . DR. SREEDHARA C. G.
S/O. GURUSIDDIAH C.K.
AGED 54 YEARS,
WORKING AS ASSOCIATE PROFESSOR AND
HEAD OF DEPARTMENT (I/C),
DEPARTMENT OF NEPHROLOGY,
INSTITUTE OF NEPHRO UROLOGY,
VICTORIA HOSPITAL CAMPUS,
BENGALURU 560 002.

2 . THE STATE OF KARNATAKA,
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE
DEPARTMENT (MEDICAL EDUCATION),

M.S. BUILDING,
4TH STAGE, 6TH FLOOR,
DR. AMBEDKAR ROAD,
BENGALURU-560 001.

3 . THE DIRECTOR,
INSTITUTE OF NEPHRO UROLOGY,
VICTORIA CAMPUS,
BENGALURU - 560 002.

4 . THE GOVERNING COUNCIL,
INSTITUTE OF NEPHRO UROLOGY,
REPRESENTED BY ITS
CHIEF ADMINISTRATIVE OFFICER,
VICTORIA CAMPUS,
BENGALURU - 560 002.

...RESPONDENTS

THIS REVIEW PETITION IS FILED UNDER ORDER 47 RULE 1 OF CPC 1908, PRAYING TO (1) REVIEW THE ORDER DATED 6.11.2025 PASSED ON WRIT APPEAL NO.1091/2023 (S-RES) BY THIS COURT IN THE ENDS OF JUSTICE VIDE ANNEXURE - A.

THIS REVIEW PETITION HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 13.03.2026 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT THIS DAY, **ANU SIVARAMAN J.,** PRONOUNCED THE FOLLOWING:

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

CAV JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This Review Petition is filed to review the Judgment dated 06.11.2025, passed by this Court in Writ Appeal No.1091/2023 (S-RES).

2. We have heard Shri. Srikanth M.P, learned counsel appearing for the review petitioner.

3. We notice that the writ appeal was disposed of noticing the order passed by the Apex Court in SLP (C) Diary No.2805/2025.

4. The learned counsel appearing for the review petitioner submits that some of the findings of the learned Single Judge in the judgment appealed against were at variance with findings of the Apex Court in the SLP (C) Diary No.2805/2025. It is therefore contended that the findings of the learned Single Judge could have been upheld only as far as they are in consonance with the Order dated 28.02.2025 of the Apex Court in SLP (C) Diary No.2805/2025. The learned counsel appearing for the review petitioner draws

our attention to the findings of the learned Single Judge and submits that the specific finding of the learned Single Judge that the review petitioner had to be considered as a Deputationist and not as a person borne on the service of the Institution, cannot be upheld in view of the fact that the review petitioner had already been absorbed as an employee of the Institution.

5. Having considered the contentions advanced, we notice that we had specifically referred to the Order of the Apex Court dated 28.02.2025 in SLP (C) Diary No.2805/2025. We had found that in the light of the directions issued by the Apex Court, the contentions raised in the Writ Appeal require no consideration. It is clear from a reading of the order of the Apex Court that the review petitioner stood absorbed in the Institution and that she would not be entitled for retrospective absorption. Therefore, the findings of the learned Single Judge, which were rendered at a point in time, when the orders of absorption had not yet been rendered, would have no application. It is clear that the disposal of the writ appeal

being in the light of the directions issued by the Apex Court, the judgment in the writ petition would also be on the basis of those directions.

6. In the above circumstances, it is made clear that since orders of absorption had already been passed in favour of the review petitioner with effect from 08.02.2018, the finding of the learned Single Judge that she was not an employee of the Institution, can no longer hold good. We find no error in the directions issued by the learned Single Judge that the claim of the writ petitioner will be considered in accordance with law and in accordance with the factual situation arising when the claim is taken up for consideration. The subsequent absorption of the review petitioner shall also be taken into account if the said order is in force.

7. Accordingly, the review petition is ***disposed of***.

All pending interlocutory applications shall stand *disposed of.*

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

cp*