HC-KAR
CNR: KAHC010010222023

NC: 2026:KHC:63219
RP No. 14 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.G.PANDIT

REVIEW PETITION NO. 14 OF 2023

BETWEEN:

THE NEW INDIA ASSURANCE CO. LTD.,
PUSHPA BUILDING
MAIN ROAD,
KUNDAPURA-576201
REP. BY ITS BRANCH MANAGER.

...PETITIONER

(BY SRI. SRINIVASA K. N., ADV.)

AND:

1. JAYANTH NAIK
S/O LACHAMAYYA NAIK,
AGED ABOUT 31 YEARS,
R/O ALIVEKODI,
SHIRUR POST AND VILLAGE,
KUNDAPURA TALUK,
UDUPI DISTRICT-576201.

2. K ABDUL REHAMAN
S/O AHAMMED BAVA,
AGED ABOUT 52 YEARS,
R/O JUBEDHA MANZIL,
NAGOOR, KIRIMANJESHWARA,
KUNDAPURA TALUK,
UDUPI DISTRICT-576201.

Digitally signed by
NANJUNDACHARI
Location: High
Court of Karnataka

3. NATIONAL INSURANCE CO. LTD.,
DIVISIONAL OFFICE,
SHANKAR BUILDING,
MASJID ROAD, UDUPI-576101
REP. BY ITS DIVISIONAL MANAGER.

4. ANJUMAN GIRLS HIGH SCHOOL
MAIN ROAD, BHATKAL-581320
REP. BY ITS HEAD MISTRESS.

…RESPONDENTS

THIS PETITION IS FILED UNDER ORDER 47 RULE 1 OF CPC, PRAYING TO CALL FOR THE RECORDS IN MFA NO.8724/2015 ON THE FILE OF THIS COURT AND REVIEW THE JUDGMENT AND AWARD DATED 09.12.2019 BY ALLOWING THE REVIEW PETITION IN MFA NO.8724/2015 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 S.G.PANDIT

ORAL ORDER

The above review petition is filed under Order 47 Rule 1 of CPC praying to review the judgment dated 09.12.2019 passed in MFA No.8724/2015 solely on the ground that, at the time of disposal of the above MFA, it was not brought to the notice of this Court pendency of MFA No.7956/2015 filed by the review petitioner-Insurance Company questioning the same judgment and

award dated 21.07.2015 in MVC No.1055/2013 on the file of the Member, Additional MACT, Kundapur.

2. An order or judgment could be reviewed, only if it satisfies the criteria or conditions laid down under Order 47 Rule 1 read with Section 114 of CPC. In the instant case, no error apparent on the face of record is made out to review the judgment. However, the only ground urged by the learned counsel for the review petitioner is that the Insurance Company failed to bring to the notice of this Court the appeal filed by the review petitioner-Insurance Company which was pending as on that day. Further, learned counsel would submit that the said appeal filed by the Insurance Company is pending even today. The said pendency of the appeal filed by the Insurance Company cannot be a ground to review the present judgment.

3. This Court would not find any error apparent on the face of record to entertain the review petition. Accordingly, the review petition stands rejected.

Consequently, I.A.No.1/2023 for condonation of delay also stands rejected.

Sd/-
(S.G.PANDIT)
JUDGE

MPK
CT:bms
List No.: 1 Sl No.: 2