HC-KAR

NC: 2026:KHC:22097-DB
WA No. 317 of 2016
C/W WA No. 2538 of 2014

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT APPEAL NO. 317 OF 2016 (S)

C/W

WRIT APPEAL NO. 2538 OF 2014

IN WA No. 317/2016

BETWEEN:

THE KARNATAKA STATE AGRO CORN
PRODUCTS LIMITED.,
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE
AT HEBBAL, BANGLAORE
REP BY ITS MANAGING DIRECTOR

...APPELLANT

(BY SRI. RAMACHANDRAN K, ADVOCATE)

Digitally signed by PANKAJA S
Location: HIGH COURT OF KARNATAKA

AND:

1. DR M S PARTHASARATHY
AGED ABOUT 67 YEARS,
S/O LATE M.S.SAMPATH
R/O 759, II BLOCK,
V MAIN, 8TH CROSS, R.T.NAGAR,
BANGALORE-32

2. THE STATE OF KARNATAKA
BY ITS SECRETARY,
AGRICULTURE AND
HORTICULTURE DEPARTMENT,

M.S.BUILDING,
BANGALORE-560 001

…RESPONDENTS

(BY SRI. HALESH R.G, ADVOCATE FOR R1,
SMT. PRATHIBHA K.R, AGA FOR R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 07.08.2014 PASSED BY THE LEARNED SINGLE JUDGE IN THE REVIEW PETITIONER NO.332/2014 IN WRIT PETITION NO.11658/2006(S) AND ALLOW THE PRAYER IN THE REVIEW PETITION AND ETC.

IN WA NO. 2538/2014

BETWEEN:

THE KARNATAKA STATE AGRO CORN
PRODUCTS LIMITED,
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE,
AT HEBBAL, BANGALORE,
REP. BY ITS MANAGING DIRECTOR.

...APPELLANT

(BY SRI. RAMACHANDRAN K, ADVOCATE)

AND:

1. DR M.S PARTHASARATHY
AGED ABOUT 67 YEARS,
S/O LATE M S SAMPATH,
R/O 759, II BLOCK,
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BANGALORE-32.

2. THE STATE OF KARNATAKA BY ITS SECRETARY
AGRICULTURE AND
HORTICULTURE DEPARTMENT,
M.S BUILDING,

BANGALORE-560 001.

...RESPONDENTS

(BY SRI. HALESHA R.G, ADVOCATE FOR R1,
SMT. PRATHIBHA K.R, AGA FOR R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN THE WRIT PETITION NO.11685.2006 DATED 05/08/2011.

THESE APPEALS, COMING ON FOR HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Despite the matter being called out twice, no one appears for the writ appellants.

2. The order under challenge in W.A.No.317/2016 is dated 07.08.2014 passed by the learned Single Judge in R.P.No.332/2014 in W.P.No.11685/2006.

3. A perusal of the impugned order reflects that the learned Single Judge, after considering the order of the Division Bench in another writ appeal filed against the

order of this Court in the writ petition, was of the opinion that the learned Single Judge had overlooked certain glaring circumstance and therefore the appellant was permitted to withdraw the appeal and file the review petition.

4. The learned Single Judge was of the opinion that no glaring circumstance was overlooked. It was observed that the primary contention that the writ petitioner was not a government servant had been addressed and it had been specifically held that he was a government servant. It was therefore held that there was no point to be reviewed and the review petition was dismissed.

5. No writ appeal would lie against such an order passed in a review petition. The appeal is misconceived and is therefore ***dismissed***.

6. For the detailed reasoned order passed in W.A.No.317/2016, writ appeal No.2538/2014 is ***dismissed***.

SD/-
(JAYANT BANERJI)
JUDGE

SD/-
(RAJESH RAI K)
JUDGE

CR/List No.: 1 Sl No.: 9