HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

REVIEW PETITION NO.549 OF 2025

BETWEEN:

MRS. CHANNAMMA
W/O LATE CHOWDAPPA,
SINCE DECEASED BY HER
LEGAL REPRESENTATIVES

1. SRI GOPALA,
   S/O LATE CHOWDAPPA
   AGED ABOUT 73 YEARS,

2. SRI T.C. RAMACHANDRA
   S/O LATE CHOWDAPPA
   AGED ABOUT 64 YEARS,

3. SRI T.C. NARAYANASWAMY
   S/O LATE CHOWDAPPA,
   AGED ABOUT 59 YEARS,

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA

4. SMT. SHREEMANJU
   W/O T.C. NARAYANASWAMY
   AGED ABOUT 47 YEARS,

5. SMT. PREMA
   D/O LATE CHOWDAPPA
   W/O RAMESH
   AGED ABOUT 62 YEARS,

   ALL ARE RESIDING AT
   THUBARAHALLI VILLAGE,
   RAMAGONDANHALLI POST,
   MARATHAHALLI-VARTHUR MAIN ROAD,
   BANGALORE–560066.

...PETITIONERS

(BY SRI SUBASH REDDY V., ADVOCATE)

AND:

THE AIRCRAFTS EMPLOYEES
CO-OPERATIVE SOCIETY LTD.,
REPRESENTED BY ITS SECRETARY,
HAVING ITS OFFICE AT NO.15,
1ST CROSS, CKC GARDEN,
OPPOSITE BANGALORE INSTITUTE OF
ONCOLOGY HOSPITAL, KH ROAD (DOUBLE ROAD),
BENGALURU-560027.

…RESPONDENT

THIS REVIEW PETITION IS FILED UNDER SECTION 114 R/W ORDER 47 RULE 1 OF CPC 1908, PRAYING TO REVIEW THE JUDGMENT DATED 16.10.2025, PASSED IN RFA NO. 671/2017, AND RE-HEAR THE APPEAL ON MERITS, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR HEARING – INTERLOCUTORY APPLICATION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

The present review petition is filed seeking to review the judgment dated 16.10.2025 passed in RFA.No.671/2017, whereby the appeal came to be dismissed.

2. The petitioners were the plaintiffs in suit for permanent injunction in respect of a land bearing Sy.No.73 measuring 30 guntas situated at Thubarahalli

Village. The suit was dismissed by the Trial Court holding that the land stood acquired and the plaintiffs failed to establish possession. The said judgment was affirmed by this Court in Regular First Appeal.

3. Learned counsel for the review petitioners contends that the impugned order suffers from error apparent on the face of record inasmuch as the material documents particularly Ex.D1 to Ex.D6 were not properly appreciated. It is submitted that there is discrepancy in the extent of land acquired under the preliminary and final notifications. It is submitted that certain documents disclose that the subject matter was not part of acquisition and it is submitted that the findings are based on assumption and misreading of evidence. Further, that the non-consideration of material evidence has resulted in miscarriage of justice.

4. This Court has carefully considered the submission and perused the material on record.

5. The scope of review petition is limited to correct the errors apparent on the face of record and does not extend to the re-appreciation of evidence. The grounds urged by the petitioners essentially seek reconsideration of the entire material on merits. The contention regarding discrepancy in extent of land as well as the reliance on Ex.D1 to Ex.D6 were matters already considered while disposing of the appeal. No patent error or omission is demonstrated, warranting exercise of review jurisdiction.

6. The Apex Court in the case of ***Smt. Meera Bhanja V/s Smt. Nirmala Kumari Choudhury***[1] *(Meera Bhanja)* has held that a review cannot be treated as an appeal in disguise nor can it be invoked for re-hearing of the matter on merits. Unless there is a manifest error apparent on the face of record, interference is not warranted. In the present case, no error is made out. The finding recorded in the judgment sought to be reviewed is

[1] *AIR 1995 SC 455*

based on appreciation of material on record and does not call for any reconsideration.

7. In view of the above, no grounds are made out to interfere with the judgment sought to be reviewed. Accordingly, the review petition is hereby ***dismissed***.

Sd/-

JUSTICE K.S. HEMALEKHA

AT
List No.: 1 Sl No.: 20