
(2006) 09 KAR CK 0078

In the Karnataka High Court

Case No : Civil Petition No. 136 of 1998 in Writ Petition No. 25048 of 1993

Rangappa (deceased) by L.Rs

APPELLANT

Vs

State of Karnataka and Others

RESPONDENT

Date of Decision : 08-09-2006

Acts Referred:

Citation : (2006) 09 KAR CK 0078

Hon'ble Judges : Chidananda Ullal, J

Bench : Single Bench

Advocate : B.M. Krishna Bhat, for the Appellant; C.S. Patil, A.G.A. for Respondent's-1 and 4 and N.K. Ramesh, for Respondents-2 and 5, for the Respondent

Final Decision : Dismissed

Judgement

Chidananda Ullal, J.—Heard the learned Counsel for the parties. It was argued by the learned Counsel for the petitioner that the revision petition is maintainable. On the other side, the Counsel for the respondents, Sri Ramesh submitted that, what was challenged before the Supreme Court was the order passed in the writ appeal. Therefore, the instant review of the Single Judge's order does not survive. I too feel that what was challenged before the Supreme Court was the order passed in the writ appeal. That being the case, in my considered view, this petition for review the order passed by the Single Judge does not survive, for the order passed by the Single Judge had merged in the order passed in the writ appeal. In other words, what the learned Counsel tried to do is, by getting the order passed by me in the writ petition reviewed, to set at nought the order passed by the Division Bench in the writ appeal. Furthermore, the judicial propriety in me does not permit me to get the order reviewed.

2. The revision petition therefore fails and accordingly, stands dismissed.

3. Sri C.S. Patil, learned Additional Government Advocate is permitted to file memo of appearance for respondents 1 and 4 within four weeks.