



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

REVIEW PETITION NO.560 OF 2024

BETWEEN:

DR. SABEEL AHMED ALIAS MOTU DOCTOR
S/O MAQBOOL AHMED
AGED ABOUT 39 YEARS
R/AT NO. 1981, 26TH CROSS
BANASHANKARI 2ND STAGE,
BENGALURU-560 070.

...PETITIONER

(BY SRI. SADDAM R. MULLA, ADV., FOR
SRI. MOHAMMED TAHIR, ADV.,)

AND:

NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
BRANCH OFFICE, BENGALURU,
#3RD FLOOR, BSNL TELEPHONE EXCHANGE
HAL 2ND STAGE, INDIRANAGAR
BENGALURU-560 008,
REP. BY ITS SUPERINTENDENT OF POLICE.

...RESPONDENT

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THIS REVIEW PETITION IS FILED UNDER ORDER 47
RULE 1 OF THE CPC, PRAYING TO REVIEW THE ORDER OF
IMPOSING COST OF RS.10,000/- WHILE DISMISSING THE
WRIT PETITION NO.16865/2024 VIDE ORDER DATED
15.11.2024 AT ANNEXURE A, IN THE INTEREST OF JUSTICE
AND GOOD CONSCIENCE.



THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

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

ORAL JUDGMENT

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

This review petition is filed seeking a review of the judgment to review the order imposing cost on the review petitioner.

2. It is submitted that a cost of Rs.10,000/- is imposed. It is contended that TA amount of Rs.20,650/- has already been deposited by the review petitioner.

3. The writ petition was filed challenging an order dated 27.05.2024 passed in Spl.C.No.378/2021 by the Special Court for Trial of NI Cases. An application preferred by the writ petitioner under Sections 243(3) and 312 of Code of Civil Procedure, 1973 r/w Rule 4(3) of the Karnataka Payment by Government of Expenses of Complainants and Witnesses (Attending Criminal Courts) Rules, 1967 ('1967 Rules', for short), was rejected by order dated 15.11.2024.



4. This Court, specifically found that PW-13 is a Scientist at C-DAC (Centre for Development of Advanced Computing), Thiruvananthapuram, Kerala. His examination-in-chief was completed on 15.02.2024. Thereafter, the case was adjourned to 19.03.2024 and 05.04.2024. This Court found that Rule 4(3) of the 1967 Rules are not applicable in the instant case where the cross-examination was delayed only at the instance of the writ petitioner.

5. Learned counsel for the review petitioner submits that PW-13 is a Scientist of the C-DAC and is a government servant for all practical purposes and that the 1967 Rules would be applicable in his case as well. We notice that the said contention had been specifically raised by the review petitioner before this Court in the writ petition and had been rejected by this Court.

6. In the said circumstances, on a perusal of the grounds raised in the review petition, we find that what the review petitioner is seeking is a reconsideration of the questions already decided by a speaking order of this Court. We find no



grounds raised, which would justify a review of the imposition of costs which is an exercise of discretion by this Court. The review petition therefore fails, the same is accordingly, ***dismissed.***

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

RV
List No.: 3 Sl No.: 8