



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF FEBRUARY 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
REVIEW PETITION NO. 100177 OF 2024

BETWEEN:

SMT. SHOBHA W/O. KRISHNAPPA DASAR
AGE. 60 YEARS, OCC. HOUSEHOLD WORK,
R/O. BATAKURKI, TAL. RAMDURG
DIST. BELAGAVI, NOW RESIDING AT.
GOKUNAKOPPA, SIDDARAMESHWAR NAGAR,
HUBBALLI, TAL. HUBBALLI,
DIST. DHARWAD-580025.

...PETITIONER

(BY SRI. S.C.HIREMATH, ADVOCATE)

AND:

TIMMANNA S/O. KRISHNAPPA DASAR
DECEASED ON 19-12-2013.

2. TUNGAVVA W/O. TIMMANNA DASAR
AGE. 82 YEARS, OCC. HOUSEHOLD WORK,
R/O. BATAKURKI, TAL. RAMDURG,
DIST. BELAGAVI-591123.
3. VENKAPPA S/O. HANAMANTH DASAR
AGE. 35 YEARS, OCC. AGRICULTURE,
R/O BATAKURKI, TAL. RAMDURG,
DIST. BEALGAVI-591123.

...RESPONDENTS

THIS REVIEW PETITION IS FILED UNDER SECTION 114 READ WITH ORDER XLVII RULE (1) OF CPC, PRAYING TO REVIEW THE JUDGMENT IN RSA NO. 5540/2013 PASSED ON 02.12.2024 AND PASS SUCH OTHER ORDERS AS DEEMED FIT AND PROPER UNDER THE CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE AND EQUITY.

THIS WRIT PETITION COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:





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

ORAL ORDER

The present review petition is filed by the respondent in RSA.No.5540/2013 seeking to review the judgment render in the said regular second appeal.

2. The regular second appeal arose out of the partition suit concerning suit schedule properties. This Court while disposing RSA.No.5540/2013, set aside the judgment and decree passed by the First Appellate Court and confirmed the judgement and decree of the Trial Court.

3. In terms of the judgment in RSA.No.5540/2013, the shares were declared as follows:

Plaintiff	:	$1/6^{\text{th}}$ share;
Defendant No.1	:	$1/3^{\text{rd}}$ share;
Defendant No.2	:	$1/3^{\text{rd}}$ + $1/6^{\text{th}}$ share

4. The present review petition is filed contending that appellant No.1 died during the pendency of the RSA.No.5540/2013 and consequently, the apportionment of shares requires reconsideration and modification.



5. It is not in dispute that this Court in RSA.No.5540/2013, set aside the judgment of the First Appellate Court and confirmed the judgment and d of the Trial Court.

6. The scope of review jurisdiction is limited. A review can be entertained only if there is :

- i. An error apparent on the face of record,
- ii. Discovery of new and important matter, which could not be produced earlier despite due diligence or
- iii. Any other sufficient reasons analogues thereto.

7. The review petitioner has not demonstrated any error apparent on the face of record and accordingly, the review petition stands ***dismissed***.

**Sd/-
JUSTICE K.S.HEMALEKHA**

EM
CT:VH
List No.: 1 Sl No.: 47