

**NC: 2023:KHC-K:8826-DB****RP No. 200029 of 2023****C/W RP No. 200030 of 2023****RP No. 200031 of 2023****IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH****DATED THIS THE 24TH DAY OF NOVEMBER, 2023****PRESENT****THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR****AND****THE HON'BLE MR. JUSTICE T G SHIVASHANKARE GOWDA****REVIEW PETITION NO. 200029 OF 2023****IN W.P.No. 202519/2021****C/W****REVIEW PETITION NO. 200030 OF 2023****IN W.P.No. 200073/2022****REVIEW PETITION NO. 200031 OF 2023****IN W.P.No. 202444/2021****In RP No.200029/2023****Between:**

Kum. Saroja G.T.,
D/o. Late Gundappa
Aged about 30 years,
Occ: District Tribal Officer,
Social Welfare Department, Bidar,
R/o. Guru Nanak Colony,
Bidar-585402.

...Petitioner

(By Sri. Amit Anand Deshpande, Advocate)

And:

1. The State of Karnataka
Department of Social Welfare,
M.S. Building, Bengaluru-560001,
Rep. by its Principal Secretary.



NC: 2023:KHC-K:8826-DB

RP No. 200029 of 2023

C/W RP No. 200030 of 2023

RP No. 200031 of 2023

2. The Commissioner
Department of Social Welfare
M.S. Building Park 5th,
Dr. Ambedkar Road,
Bengaluru-560001.
3. The Upalokayuktha
Rep. by its Registrar,
M.S. Building,
Bengaluru-560001.

...Respondents

This RP filed under Order 47 Rule 1 read with 114 of CPC praying to call for records in WP No.202519/2021 on the file of this Hon'ble Court and examine the same and to review the final orders dated 24.01.2023 passed in WP No.202519/2021 by allowing the WP No.202519/2021 and etc.,

In RP No.200030/2023

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This RP filed under Order 47 Rule 1 read with 114 of the CPC praying to call for records in WP No.200073/2022 on the file of this Hon'ble Court and examine the same and to review the final orders dated 24.01.2023 passed in WP No.200073/2022 by allowing WP No.200073/2022 and etc.,

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NC: 2023:KHC-K:8826-DB
RP No. 200029 of 2023
C/W RP No. 200030 of 2023
RP No. 200031 of 2023

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This RP filed under Order 47 Rule 1 read with 114 of the CPC praying to call for records in WP No.202444/2021 on the file of this Hon'ble Court and examine the same and to review the final orders dated 24.01.2023 passed in WP No.202444/2021 by allowing WP No.202444/2021 and etc.,

These Review Petitions pertaining to Kalaburagi Bench, coming on for orders at Principal Bench, Bengaluru, this day, **Sreenivas Harish Kumar J.,** made the following:

ORDER

Heard Sri Amit Anand Deshpande, learned counsel for the review petitioner. Finding sufficient reason the order dated 26.07.2023 is recalled. I.A.3/2023 is allowed.

2. We have heard learned counsel on admission of the review petitions. All the grounds that learned counsel has taken in the review petitions are in the nature of grounds that can be urged in the appeal. It is a well established principle that the grounds that can be taken in the appeal cannot be considered for granting review. But at this stage Sri Amit Anand Deshpande submits that the



NC: 2023:KHC-K:8826-DB

RP No. 200029 of 2023

C/W RP No. 200030 of 2023

RP No. 200031 of 2023

observation made in para 11 of the order was not the submission actually made by him while he argued on the merits of writ petitions. What we have observed is, *"It was not the argument of Sri. Amit Deshpande that there was no application of mind by the competent authority"*. If really Sri Amit Deshpande did not argue in this way we may expunge this sentence. However, in spite of expunction, we do not find any ground to admit the review petitions.

3. Sri Amit Deshpande has submitted that initiation of four enquiries against the petitioner in connection with surprise visits to four hostels on 31.01.2018 is bad in law, and he submits that one enquiry was enough.

4. We find force in his submission. Though surprise visits to four hostels are different, all the four visits were on the same day in the same town or city. One enquiry in respect all the four suffices the situation. The petitioner is given liberty to raise this issue before the enquiring



NC: 2023:KHC-K:8826-DB
RP No. 200029 of 2023
C/W RP No. 200030 of 2023
RP No. 200031 of 2023

authority, and if it is raised, the enquiring authority shall consider it.

Review petitions are not admitted, they are dismissed.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

CKL
List No.: 19 Sl No.: 1