

Court No. - 33

Case :- CIVIL MISC REVIEW APPLICATION No. - 559 of 2023

Applicant :- The Managing Director, Uttar Pradesh Rajya Vidyut Utpadan Nigam And 4 Others

Opposite Party :- Smt. Priyanka Tripathi

Counsel for Applicant :- Abhishek Srivastava

Counsel for Opposite Party :- Pradeep Kumar Sharma

Hon'ble J.J. Munir,J.

Order on Civil Misc. Delay Condonation Application No. Nil of 2023

This application has been made to condone the delay in making the review application. The application is reported to be beyond limitation by 30 days.

Perused the affidavit filed in support of the delay condonation application. Cause shown is sufficient. The delay in filing the review application is condoned.

The application is allowed.

Order on Review Application

Heard Mr. Abhishek Srivastava, learned Counsel for the applicant in support of the application for review.

This is an application seeking review of my judgment and order dated 09.10.2023 passed in Writ-A No. 15109 of 2023.

The ground raised seeking review is one on the basis of some kind of a nomination regarding entitlement to receive the contributory provident fund made in the records of the U.P. Rajya Vidyut Utpadan Nigam Limited Contributory Provident Fund Trust, Lucknow, which was not brought on record before this Court,

when the petition was heard. In the deceased-employee's service book, the nomination to receive the entire post retiral benefits is recorded in favour of his wife. The nomination on record of the U.P. Rajya Vidyut Utpadan Nigam Limited Contributory Provident Fund Trust was never placed before the Court by the respondents.

In the opinion of this Court, it is not possible to review the judgment on the basis of papers that were not on record of the writ petition, when it was heard. It is not a case of error apparent on the face of record. No other point was pressed.

Accordingly, this review application is **rejected**.

Order Date :- 29.11.2023

Deepak