

Court No. - 8

Case :- CIVIL MISC REVIEW APPLICATION DEFECTIVE No. - 270 of 2023

Applicant :- Krishndev Mishra And Another

Opposite Party :- State Of U.P. Thru. Secy. Basic Education, Lucknow And Others

Counsel for Applicant :- Shyam Prakash, Upendra Kumar Sagar

Hon'ble Pankaj Bhatia, J.

Order on I.A. No.1 of 2023:

1. The application seeks condonation of delay in filing the review application.
2. Cause shown is sufficient.
3. Delay in filing the review application is condoned.
4. The application is accordingly allowed.

Order on Review Application:

5. Present review application has been filed seeking review of the order dated 25.08.2023 passed in Writ - A No.6371 of 2023 whereby the writ petition filed challenging an order of assignment of duties, was dismissed holding the same to be on administrative exigencies.
6. Submission of learned counsel for the applicant is that the assignment of duties was contrary to government orders.
7. This aspect was available for argument and was, in fact, argued when the matter was finally decided.
8. It is well settled that a an appeal cannot be disguised as review.
9. No good ground for review exists so as to exercise the power of review. The review application lacks merit and is accordingly ***dismissed.***

Order Date :- 5.12.2023

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