

GAHC010071012023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Review.Pet./47/2023

SONAFUL BHARALI
S/O JAGEN BHARALI, R/O NO. 1 MADHGHARIA, PATHARQUARY,
GAONBURAH PATH, P.O.-UDYANVIHAR, KAMRUP(M), ASSAM, PIN-781171

VERSUS

THE OIL INDIA LTD. AND 5 ORS.
A PUBLIC SECTOR UNDERTAKING, INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956, HAVING ITS REGISTERED
OFFICE AT P.O.-DULIAJAN, DIST- DIBRUGARH, ASSAM, PIN-786602

2:THE COMMISSIONER
EMPLOYEE PROVIDENT FUND
BHAVISHYANIDHI BHAWAN
G.S ROAD
NEAR BHARALU BRIDGE
BHANGAGARH
GUWAHATI-781005
DIST-KAMRUP (M)
ASSAM

3:THE CHIEF GENERAL MANAGER
OIL INDIA LIMITED
P.O.-DULIAJAN
DIST- DIBRUGARH
ASSAM
PIN-786602

4:THE CHIEF GENERAL MANAGER
PIPELINE SERVICES
OIL INDIA LIMITED
P.O.-UDYANVIHAR
GUWAHATI
PIN-781171

5:THE EMPLOYEE PROVIDENT FUND SECTION
OIL INDIA LIMITED
P.O.-DULIAJAN
DIST- DIBRUGARH
ASSAM
PIN-786602
6:THE MANAGER (SECURITY)
PIPELINE
OIL INDIA LIMITED
P.O.-UDYANVIHAR
GUWAHATI
PIN-78117

Advocate for the Petitioner : MR D K DAS

Advocate for the Respondent : SC, OIL

BEFORE

HON'BLE THE CHIEF JUSTICE (ACTING) MR. LANUSUNGKUM JAMIR

O R D E R

02.02.2024

Heard Mr. D. K. Das, learned counsel for the review petitioner as well as Mr. A. Sarma, learned standing counsel, Oil India Ltd.

2. By this review petition, the petitioner is praying for review of the order dated 21.11.2022 passed by this Court in WP(C)/7407/2022, whereby, the writ petition claiming for change of date of birth of the petitioner was dismissed.

3. The learned counsel for the review petitioner on the basis of Provident Fund Statement for the year 2022-23 seeks review of the order dated

21.11.2022 on the ground that the respondents have changed the date of birth of the petitioner from 01.03.1963 to 01.03.1969.

4. The learned counsel for the Oil India Ltd./respondents however has furnished copies of the Provident Fund Statement for the years 2017-18, 2018-19, 2019-2020, 2020-21, 2021-22 and 2022-23. It is submitted that the Provident Fund Statement is made on a yearly basis and the date of birth of the petitioner has been consistently recorded as 01.03.1963 and not as claimed by the petitioner. The learned counsel for the review petitioner has failed to show this Court any error apparent on the face of the records for a review of the order dated 20.11.2022 passed by this Court in WP(C)/7407/2022. The present review petition appears to be a re-hearing of the matter in disguise and to re-write a judgment by which the controversy has been finally decided. Therefore, the petitioner cannot be permitted to re-agitate and re-argue questions which have already been addressed and decided.

5. The contentions made by the learned counsel for the review petitioner has already been discussed by this Court in the order dated 20.11.2022 and therefore, this Court does not find any merit in the present review petition and is accordingly dismissed.

CHIEF JUSTICE (ACTING)

Comparing Assistant