

Party Name : HAREKRISHNA SARKAR Vs PRAMODE RANJAN DEB & ORS

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

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By means of these applications, the petitioner seeks condonation of delay in filing the review petition and seeks review of the petition on the basis of a disability certificate filed along with Interim Application No.517 of 2015.

On 23.7.2015 when this case came up before this Court, none had appeared before this Court. This was an old matter and, therefore, the Court decided the matter on merits and the compensation was enhanced from Rs.1,14,000/- to Rs.2,96,000/- on the basis of the material which was already on record. Even though counsel for the petitioner was not present, the case was not dismissed in default but was decided on merits and the compensation was enhanced by almost Rs.2,00,000/- after taking into consideration the documents which were available. Now, review is sought and the main ground for seeking review is that two months after this Court decided this matter on 23.7.2015, on 9.9.2015 a fresh disability certificate has been issued in favour of the petitioner.

I am afraid that this cannot be taken into consideration because this was not material available on the record when the judgment was passed.

Therefore, I find no error apparent on the face of the record.

Accordingly, the review petition and the other two applications are rejected.