

03 14.02.2025

Ct-37

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RVW 374 of 2024

with

IA No. CAN 1 of 2025

CAN 2 of 2025

in

FMA 497 of 2019

**The Principal, Vivekananda Mission
High School, Mechoram**

Vs.

Mausumi Hati & Ors.

Mr. Himadri Barua

Mr. Suprabhat Bhattacharya

Mr. Biswajit Das

... For the Review Applicant

Mr. Kamalesh Bhattacharya

Syed Mosihar Rahman

...For Mausumi Hati

Re: CAN 1 of 2025(Section 5)

1. There is a delay of 1825 days in presenting the memorandum of review mentioned in the said application. However, the Stamp Reporter in its report dated 03.01.2025 mentioned that the Review Application is in time as the provisions of the Limitation Act are not applicable in cases of Review U/ Order 47, CPC in writ-jurisdiction in terms of order dated 16.10.2007 passed by Hon'ble Division Bench and it has also been reported in 2008(4) ICC 413.

2. In view of the above, there is no necessity to file any Section 5 application in connection with review application and the application for condonation of delay being CAN 1 of 2025 stands disposed of.

Re: RVW 374 of 2024
with
IA No. CAN 2 of 2025

1. The report from the Assistant Registrar (Mandamus-II) clearly shows that due to inadvertence the name of the other writ petitioners were included.
2. Unmindful of the aforesaid fact, we passed the order in favour of the writ petitioners. The order is confined to the writ petitioner no. 1 only.
3. The affidavit of compliance filed in Court on behalf of the review applicant is taken on record and the said affidavit has also been served upon the sole writ petitioner.
4. The matter is adjourned till 28th March, 2025 in order to ascertain as to whether the order dated 15th January, 2025 has been complied with by the review applicant or not.
5. A copy of the memorandum of review has been served upon the advocate on record for the sole writ petitioner in Court today.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)

