

24.08.2021
Court No.1
Item No.1
AP/ss

RVW 75 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021

Dr. Arindam Roy
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

M/s. D.N. Ray, Biswarup Nandy and
Sourav Haldar, Advocates
... for the applicant present on virtual
mode.

Mr. Anirban Ray, Government Pleader
M/s. Biswarup Nandy and
Raja Saha, Advocates (Present in Court)
... for the State present on virtual mode.

Review of the order passed by this Court on January 19, 2021 has been sought by the applicant claiming that his prayer for grant of leave was rejected on the ground that the applicant was not confirmed employee. It is claimed that vide communication dated March 18, 2021, the applicant stands confirmed as R.M.O. cum Clinical Tutor in the department of Ophthalmology, N.R.S. Medical College, Kolkata with effect from September 4, 2020, which did not exist at the time when the order was passed by this Court. In view of the aforesaid order of the competent authority, the applicant is entitled to sanction of leave.

After hearing the learned counsel for the applicant, we do not find any case is made out for review of the order dated January 19, 2021.

Firstly, the applicant had filed SLP before the Hon'ble Supreme Court bearing Special Leave to Appeal (C) No(s.) 2262/2021, which was dismissed on February 19, 2021. Even at that stage the applicant did not have any document to show that he was confirmed on the post he was working.

Secondly, the order dated March 18, 2021, is sought to be produced along with the review application, which shows his confirmation with effect from September 4, 2020. However, the same cannot be taken into consideration for review of the earlier order passed by this Court as the same came into existence even after dismissal of the Special Leave Petition filed by the applicant before the Hon'ble Supreme Court against the order passed by this Court.

No case is made out for review of the order.

The review application accordingly is dismissed.

[Rajesh Bindal, C.J. (A.)]

[Aniruddha Roy, J.]