

18.08.2023
KC(2)

CPAN 1016 of 2022
Jagadhatri Das and Ors.
-versus-
Sujit Kumar Maity
In
F.M.A. 1548 of 2004
With
R.V.W. 203 of 2022
State of West Bengal and Ors.
-versus-
Ram Prasad Majhi and Ors.
With
CAN 1 of 2022
With
CAN 2 of 2022

Mr. Kamalesh Bhattacharya,
Mr. Arunava Banerjee,
Sk. Qareeb,
Ms. Ritika Mandal.....For the petitioners in
CPAN 1016 2022.

Mr. Tapan Kumar Mukherjee, Ld. A.G.P.,
Mr. Pinaki Dhole,
Mr. Somnath Naskar.....For the alleged contemnor/
review applicant.

Re: CAN 2 of 2022 in RVW 203 of 2022.

Sufficient cause is shown. We condone the delay
in filing the review application. The application for
condonation of delay (CAN 2 of 2022) is allowed.

We direct the department to register the review
application.

Re: R.V.W. 203 of 2022.

The judgment and order was passed on 13th
June, 2022 directing the respondents to approve the
appointment of the teaching and non-teaching staff

mentioned in the said order within eight weeks of communication thereof. Till date there is no compliance thereof.

What has been stated in the review application can at best be the alleged errors or infirmities in the impugned judgment and order dated 13th June, 2022. No ground as contemplated in Order 47 Rule 1 of the Civil Procedure Code has been made out to justify this court revisiting its order which has already attained finality. The remedy of the applicant may be elsewhere but certainly not in our review jurisdiction.

Accordingly, this application for review (R.V.W. 203 of 2022) is dismissed. The connected stay application (CAN 1 of 2022) is also dismissed.

Re: CPAN 1016 of 2022.

List the contempt application at the next sitting of this bench, not earlier than four weeks from date, for passing appropriate orders.

(I.P. MUKERJI, J.)

(SUBHENDU SAMANTA, J.)

