

03 08.7.2022
Sc Ct. no.12

RVW 4 OF 2022
(filed in WPST 128 OF 2018)
with
I.A. No.CAN 1 OF 2022
(Application for condonation
of delay)
with
I.A. No.CAN 2 OF 2022
(Application for stay)

Dr. Deb Narayan Samanta

Vs.

The State of West Bengal & Ors.

Mr. Indradeep Pal
Mr. M. F. Rahaman
Ms. S. Pal (Das).

... For the Petitioner

Mr. Anirban Ray
Mr. Pinaki Dhole
Mr. Avishek Prasad.

... For the Respondents

Heard on the question of delay as well as on merit
of the review petition.

Mr. Indradeep Pal, learned counsel for the review
petitioner and Mr. Avishek Prasad, learned counsel for
the State are present.

Taking into consideration the explanation offered by
the petitioner in the interim application regarding cause
of delay in preferring the review petition, we are satisfied
about the delay and the delay is accordingly condoned.

Accordingly, the application for condonation of
delay being I.A. No. CAN 1 of 2022 is disposed of.

Coming to the merit of the review petition it is
found from the impugned order that the writ petition has
been dismissed on the ground of delay and laches on the

part of the petitioner to approach the Court for his retiral benefits that too after 17 years after he attained the age of superannuation.

Mr. Pal, learned counsel for the petitioner submits that the delay in preferring the application before the tribunal having been condoned, the finding in the writ petition of this Court is an error apparent on the face of the record and the petitioner should not have been disadvantaged applying the doctrine of delay and laches.

We may say here that the order passed by this Court may be erroneous in the wisdom of the petitioner but we do not find any error apparent on the face of the record in the impugned order passed, as the Court has taken into consideration what had been canvassed before it.

Accordingly, we dismiss the review petition also.

In view of dismissal of the review petition, the connected application being I.A. No. CAN 2 of 2022 stands dismissed.

There is no order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Chitta Ranjan Dash, J.)

(Aniruddha Roy, J.)