

86-87
10.03.2022
TN

RVW 33 of 2022
In
WPA No.1249 of 2022

Mobina Khatoon and another
Vs.
Ashmat Jahan and others

Mr. Anand Farmania
.... for the review applicants

Mr. Shaunak Ghosh,
Md. Hossain
.... for the respondent/writ petitioner

Mr. Suman Ghosh
.... for the CESC Limited

Affidavit-of-service filed in court today be kept
on record.

Learned counsel for the review applicants
submits that, taking undue advantage of the order
dated February 9, 2022 passed in WPA No.1249 of
2022, the writ petitioner therein has been lifting iron
pipes and metal sheets to the roof of the premises and
have threatened to install tin shades on the entire first
floor of the building.

It is further alleged that, taking advantage of
the said order, the writ petitioner (present respondent)
is trying to grab the entire first floor of the building by

installing iron pipelines and metal sheets and also doing unlawful repair works in the garb of complying with the said order.

Certain photographs are relied on in support of such proposition.

Learned counsel appearing for the CESC Limited contends that the CESC complied with the order of this court to the letter and there cannot be any allegation levelled against the CESC.

Learned counsel appearing for the writ petitioner/respondent in the present application vehemently opposes the allegations made by the applicants. It is submitted by learned counsel for the writ petitioner (present respondent) that the allegations made against them are baseless and without any factual premise.

Be that as it may, even if the applicants have grievances of the nature as canvassed in the present review application, the appropriate remedy open to the applicants is to approach the appropriate criminal forum or competent civil court to redress their complaints of criminal nature or vindicate their civil rights respectively.

However, the allegations levelled in the present review application do not, by any stretch of imagination, come within the four corners of the

review jurisdiction, since neither any error apparent on the face of the record nor the discovery of new matter which could affect the order under review or any like circumstance has been established to justify the exercise of review jurisdiction.

Hence, RVW 33 of 2022 is dismissed, with liberty to the applicants to approach the appropriate criminal and/or civil court/forum for canvassing their disputes as levelled in the present review application for getting appropriate redress.

If so approached, the said court(s)/forum(s) will decide the issues raised by the applicants in accordance with law, without being influenced in any manner by any of the observations made herein, of course, upon giving adequate opportunity of hearing to all the interested parties.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)