

24th June,
2022
(AK)
129-130

RVW 68 of 2021
With
WPA 9330 of 2020

Champa Nandi
(Prop. of M/s. Industrial Handling)
Vs.
State of West Bengal and others

Mr. Tapas Dutta
...for the petitioner.

Mr. Subhabrata Datta
Mr. Benazir Ahmed
...for the State.

Mr. S.K. Gupta
Mr. Rathin Santra
...for the private respondent no.10.

Learned counsel for the review applicant submits that there is an error apparent on the face of record justifying the filing of the review application, since several prayers in the writ petition, which had been disposed of by the order under review dated December 24, 2020, were not considered at all by the court while passing the said order.

Upon hearing learned counsel for the parties, it transpires that the cardinal prayer made in the writ petition had been dealt with by the court.

Moreover, nothing has been argued or produced to substantiate the claim that the error, as alleged, is apparent from the face of record.

Moreover, the applicant sat tight over the matter since long and, only after waiting for some time, filed the review application without preferring a challenge against the order dated December 24, 2020 before the appellate Bench.

Although this court is conscious of the fact that there is a distinction between the appellate jurisdiction and that of review, it does not appear from the contentions raised that the yardsticks stipulated for entertaining a review petition have been satisfied here.

Accordingly, RVW 68 of 2021 is dismissed on contest without, however, any order as to costs.

The receipt of notice filed in court today be kept on record.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)