

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No.308 of 2022
(Through hybrid mode)

Nrusingha Charan Sethi ***Review Petitioner***

Mr. D. Mohapatra, Advocate

-versus-

Ranjan Behera and others ***Opposite Parties***

Mr. P.P. Behera, Advocate (CGC)

CORAM: JUSTICE ARINDAM SINHA

ORDER
24.11.2022

Order
No.
01.

1. Mr. Mohapatra, learned advocate appears on behalf of review applicant and submits, his client was opposite party no.5 in the writ petition, disposed of by order dated 17th October, 2022. He submits, direction in paragraph-4 of said order, to forthwith circulate resolution dated 19th June, 2022, ought not to have been made because tenure of the Zonal Executive Committee already stood expired w.e.f. 1st October, 2022. Hence, direction for circulation, thereafter made on 17th October, 2022 should be recalled.

2. Mr. Behera, learned advocate, Central Government Counsel appears on behalf of opposite party nos. 1 and 2 in the writ petition.

3. On query from Court Mr. Mohapatra submits, his client though was represented at the time of hearing but could not appreciate the effect of the direction, when the order was made. Hence, it is being subsequently brought to notice of Court.

4. Perused the grounds of review. They do not appear to be good grounds of review but may be grounds of appeal. Prayer in the writ petition was for circulation of the resolution. No submission was made that such prayer had lost its force as on 17th October, 2022. In the circumstances, on compliance with the direction and circulation of the resolution, if it has lost its force, same will not have any effect on ensuing election.

5. Nevertheless, if review applicant is aggrieved, remedy may be found in appeal on praying for exclusion of time consumed by adjudication of this application.

6. The review application is dismissed.

(Arindam Sinha)
Judge

Sks