

21.01.2025
Item No.12 &
Suppl.1
gd/ssd

CPAN/982/2023
AMBUJ TEWARI
VS
VIVEK KUMAR IAS SECRETARY DEPARTMENT OF
FOREST AND ORS.
in
WPA(P)/274/2021
AMBUJ TEWARI
VS
STATE OF WEST BENGAL AND ORS.
with
RVW/186/2023
with WPA(P) 274 of 2021
THE STATE OF WEST BENGAL AND ORS.
VS
AMBUJ TEWARI AND ANR.
IA NO: CAN/1/2023, CAN/2/2023

Mr. Goutam Dey,
Ms. Ankita Ghosh,
Ms. Somasree Bakshi,
Ms. Ankita Ghosh
..for the Petitioner.

Mr. Rudranil De
..for the State.

Mr. Kushal Das
..for the Review Applicant.

Re: CAN 2 of 2023 in RVW 186 of 2023

1. The review application has been filed to review the judgment and order dated 11.4.2023 in WPA(P) 274 of 2021.

2. We have heard the learned Government counsel appearing for the review applicant/State and the learned advocate for the respondent/writ petitioner.

3. There is a delay of 136 days in filing the review application.

4. On going through the affidavit we find that proper explanation has not been given for the delay in filing the review application.

5. That apart, we find that the review application was filed on 28.8.2023 much after the filing of the contempt application which was filed on 19.7.2023. Further, we have gone through the grounds of review application and we find that the review applicant/State is attempting to set up a new case which was never placed before the court when the writ petition was disposed of.

6. Thus, unless and until the applicant is able to point out an error which is apparent on the face of the judgment and order the question of entertaining a review application on a plaint which was never canvassed by the State cannot be entertained.

7. For the above reason, the review application is dismissed.

8. Consequently, the applications are also dismissed.

Re: CPAN 982 of 2023

9. The respondent/alleged contemnor filed a review application which has been dismissed by order dated 21.1.2025.

10. The time for compliance of the directions issued is extended by three weeks from date.

11. List this matter on 25th February, 2025.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)