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S.D.

**R.V.W. 265 of 2022
With
CAN 1 of 2022
in
W.P.A. 25013 of 2022**

**Paromita Singha & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Samim Ahammed
Mr. S. Bhattacharya
Mr. Arka Ranajan Bhattacharya
Mr. Gulsanwara Pervin
Mr. Sukhchad Sheikh

...For the petitioners

Mr. Biswabrata Basu Mallick
Mr. Sanjib Das
Mr. Madhusudan Mukhopadhyay
...For the State

Ms. Piyali Sengupta
Mr. Abhrajit Roy Chowdhury
...For the Public Service Commission

This is an application for review of an order passed by
this Court on December 14, 2022.

It is submitted by Mr. Ahammed, learned counsel
appearing on behalf of the petitioners that the reply given by
the SPIO and the Deputy Secretary, Public Service
Commission, West Bengal dated November 22, 2022 is no
information at all. The SPIO proceeded to dispose of the
representations of the petitioner and First Appeal together. It

is The State Information Commissioner who has the power to dispose of the second appeal. This Court directed the authorities concerned to dispose of the appeal of the petitioners if preferred in accordance with law.

He submits that there is a wrong recording of fact since there was no material placed on record to come to the conclusion that the information sought for has already been given to the petitioners by SPIO and the Deputy Secretary, Public Service Commission.

It is submitted that pursuant to the order dated December 14, 2022 and acting in accordance thereof, the petitioners preferred a second appeal on December 19, 2022. This Court directed the second appeal to be disposed of within four weeks from the date of filing of the same. Such period has not expired till date.

Furthermore, this Court is of the view that the materials placed on record in the writ petition were examined by this Court before passing the order dated December 14, 2022 and the same has been recorded in the said order.

This Court also finds that on one hand, the petitioners have sought to rely on the order dated December 14, 2022 and pursued to appeal in accordance thereof and on the other

hand preferred the present review application prematurely *inter alia* for staying of the order dated December 14, 2022.

The contradictory stand of the petitioners is not appreciated by this Court.

In the light of the discussions above, the review application being **R.V.W. 265 of 2022** along with **CAN 1 of 2022** are **dismissed**. However, the said order is passed without any order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

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

(Lapita Banerji, J.)