

Item-10. 17-03-2023

sg Ct. 8

RVW 268 of 2022
CAN 1 of 2023
CAN 2 of 2023

Sandip Kumar Saha
Versus
Rita Saha & Ors.

In

FAT 12 of 2022

Mr. Partha Pratim Roy, Adv.
Mr. Kushal Chatterjee, Adv.
Mr. Shibjit Mitra, Adv.

...for the petitioner

In Re: CAN 1 of 2023

There is a delay of 212 days in filing the application for review.

Sufficient cause being shown for not being able to file the application for review within the period of limitation. The application for condonation of delay is allowed.

CAN 1 of 2023 is thus disposed of.

In Re: RVW 268 of 2022 and CAN 2 of 2023

We have heard Mr. Partha Pratim Roy, learned Counsel appearing on behalf of the applicant.

Under the garb of review petition, the appellant/applicant has made an attempt to reargue the matter on merits. There is no error apparent on the face of the record. It is submitted on behalf of the petitioner that the Trial Court has refused to consider the written objection of the appellant while disposing of the suit disregarding an earlier order passed by a learned Single Judge in a civil revisional application.

In our judgment, we have considered the points raised in this review application and we have categorically held that the objections raised by the appellant are meritless. Once we have arrived at this conclusion on consideration of the materials on record, it cannot be argued that there is an error apparent on the face of record.

Under such circumstances, the application for review fails. However, there shall be no order as to costs.

The application for stay being CAN 2 of 2023 shall also stand dismissed.

(Ajoy Kumar Mukherjee, J.)

(Soumen Sen, J.)