

ORDER SHEET

IA No. GA/1/2023
RVWO/41/2023
With
CS/133/2015
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE
(COMMERCIAL DIVISION)

EASTERN COALFIELDS LTD
Versus
STAR PAPER MILLS LTD

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice BISWAROOP CHOWDHURY
Date: 4th September, 2023

Appearance:
Mr. Saunak Sengupta, Adv.
Mr. Pradipta Bose, Adv.
...for appellant
Mr. Ratnanko Banerji, Sr. Adv.
Ms. Sristi Burman Roy, Adv.
Mr. Sidhartha Sharma, Adv.
Mr. Rishav Dutta, Adv.
Ms. S. Basu, Adv.
...for respondent

Re : IA No: GA/ 1/2023

The Court: Sufficient cause is shown. The marginal delay in filing the application is condoned.

We allow this application for condonation of delay.

We direct the department to register the review application.

Re : RVWO/41/2023

We have carefully gone through the grounds pleaded in the review application. The law is absolutely clear on the point that once a civil judgement and order is finally pronounced, a court is not allowed to revisit its order either on facts or on law. An exception is provided by

the remedy of review in Order XLVII Rule 1 of the Code of Civil Procedure, 1908.

On scrutiny of our judgment and order dated 13th July, 2023, we do not find that there is any scope of any application of any of the grounds in Order XLVII Rule 1. It is not a case where an error is writ large on the face of the order. If we have committed an error, in the facts and circumstances, it is not subject to review by us but rectifiable by a superior court.

With the above observations, this review application (RVWO/41/2023) is dismissed with liberty to the applicant to take whatever other steps that are available to them in law, apart from review to challenge our judgment and order dated 13th July, 2023.

(I. P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)