

19_20
14.6.2024
Ct. No. 29
SB

RVW 38 of 2024
CAN 1 of 2024
CAN 2 of 2024
in
MAT 2015 of 2023
+
CPAN 414 2024

The State of West Bengal & Ors.
+
Kalpana Sarkar (Mondal) & Ors.
.

Mr. Santanu Kr. Mitra
Mr. Amartya Pal ... for the review applicants

Mr. Ramkrishna Bhattacharyya
Mr. K. Choudhury ... for the appellants.

Re : CAN 1 of 2024 (Section 5)

1. There is a delay of 75 days in presenting the memorandum of appeal.
2. We are satisfied with the explanations offered in the said application for not being able to file the memorandum of appeal within the statutory period, we are inclined to condone the delay in presenting the memorandum of appeal.
3. The application for condonation of delay, is thus, allowed without any order as to costs.
4. CAN 1 of 2024, is thus, disposed of.

Re : RVW 38 of 2024

1. This is an application for review of the order dated 12.10.2023. In disposing the matter, we referred to the order passed by the Hon'ble Supreme Court on 27.10.2019

by which the State Government was directed to furnish a copy of the status report of the West Bengal State Legal Services Authority to the petitioners.

2. Admittedly, the petitioners were the appellants in the Special Leave Petition. We have also recorded in the said order that the learned counsel appearing on behalf of the State respondents have also agreed to the said submission.

3. Having regard to such fact, we directed the State Government to furnish a copy of the status report of the West Bengal State Legal Services Authority to the petitioners within four weeks from date.

4. This review application is filed with a prayer for condonation of delay on the ground that while disposing of the contempt application, the Hon'ble Supreme Court has made the following observation;-

"However, the State Government is directed to furnish the copy of the status report of the West Bengal State Legal Services Authority to the petitioners within four weeks from today, if asked for by any of the petitioners."

5. The petitioners did not make any application for furnishing a copy of the status report within a period of four weeks. Hence, no direction can be passed by this Court in violation of the aforesaid order.

6. Learned counsel for the appellants submits that they want to know whether their names were included in the status report prepared by the West Bengal State Legal Services Authority. This prayer was not considered by the Hon'ble Supreme Court.

7. Learned counsel appearing on behalf of the petitioners submits that although they have not made any request to the State Government to furnish the copy of the status report of the West Bengal State Legal Services Authority within a period of four weeks from the date of the order of the Hon'ble Supreme Court, but their right to know as to whether their names were included in the status report cannot be defeated.
8. We agree with the submission of the learned counsel in this regard.
9. The prayer for a direction upon the West Bengal State Legal Services Authority to intimate whether the name of the petitioners have been included in the status report finally prepared is not in any way affected by the order passed by the Hon'ble Supreme Court.
10. In such circumstances, the review application is disposed of by modifying the order to the effect that the West Bengal State Legal Services Authority may disclose to the petitioners whether their names have been included in the status report prepared by the West Bengal State Legal Services Authority within two weeks from date.
11. In so far as the furnishing report is concerned, the petitioners may take appropriate steps in accordance with law.
12. With these directions, the review application along with connected applications are thus disposed of.

(Uday Kumar, J.)

(Soumen Sen, J.)

