

10.09.2024
Item Nos.9-10
gd/ssd

RVW/193/2024
SHIBTALA LANE RABIN SANGHA
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2024
in
WPA(P)/450/2022
SNEHANGSHU MOHANTA
VS
STATE OF WEST BENGAL AND ORS.
with
CPAN/845/2024
SNEHANGSHU MOHANTA
VS
CHINMOY BISWAS & ANR.

Mr. Subhajit Chowdhury
..for the Petitioner in
RVW 193 of 2024.

Mr. Syamal Kumar Das,
Ms. Krishna Yadav
..for the Petitioner in
CPAN 845 of 2024.

Mr. Supratim Dhar
..for the State.

Re: RVW 193 of 2024

1. This review application has been filed to review the order and direction issued in WPA(P) 450 of 2022 dated 01.08.2023. The application has been filed for condonation of delay in filing the review petition as there is a delay of 336 days in filing the application.

2. Though the explanation is not satisfactory, still as we are required to consider whether the applicant has made out any grounds against the order

and direction issued in the writ petition, and also taking note of the fact that the earlier CAN 1 of 2024 was filed by the applicant to recall the order passed in the writ petition which was dismissed as withdrawn by order dated 16.04.2024 with liberty to move a review application, we exercise discretion and condone the delay in filing the review application.

3. We have elaborately heard the learned advocate appearing for the review applicant and the learned advocate appearing for the respondents.

4. The only grievance appears to be that a new set up office bearers are taken over the club and they cannot be made liable for any misdeeds committed by the earlier office bearers against whom criminal case has been filed.

5. This hardly can be an explanation to review the order passed in the writ petition since the club in question is a registered entity and merely because there were some other persons at the helm of affairs cannot be a ground to review the order passed in the writ petition.

6. Thus, the review application fails to satisfy any of the grounds for reviewing the order and, accordingly, the same is dismissed.

Re: CPAN 845 of 2024

7. This contempt application has been filed alleging willful disobedience of the order and direction issued in WPA(P) 450 of 2022 dated 01.08.2023.

8. The learned Government counsel has filed a report submitted by the Block Land and Land Reforms Officer, Serampore-Uttarpara, dated 10.07.2024 along with annexures.

9. It is seen that the authority has commenced compliance of the order and direction issued, but, however, at the instance of the club the matter was delayed.

10. As we have dismissed RVW 193 of 2024, we direct the authority concerned to proceed further in terms of the directions issued in the writ petition.

11. CPAN 845 of 2024 is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)