

25.09.2024  
Court No.13  
Item No. 6+46 to 56  
sp

**CPAN 1082 of 2024**  
**In**  
**W.P.A. No. 11633 of 2024**  
Rimpa Saha & Ors.  
Versus  
Smt. Basanti Barman & Anr.  
With

**RVW 270 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

**RVW 206 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 275 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 276 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 277 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 278 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 279 of 2024**  
With

CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 280 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 281 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 282 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

With  
**RVW 283 of 2024**  
With  
CAN 1 of 2024  
With  
CAN 2 of 2024

Mr. Sudipta Dasgupta,  
Mr. Ali Ahasan Alamgir,  
Ms. Soma Mal,  
Ms. Rabia Khatoon,  
Ms. June Modak

...for the petitioners.

Mr. Sudipta Dasgupta,  
Mr. Ali Ahasan Alamgir,  
Ms. Soma Mal,  
Ms. Rabia Khatoon  
..for the respondent/original writ petitioner (in item  
no. 47, 48, 49 and 50)

Mr. Parth Sarathi Bhattacharya,  
Mr. Avishek Prasad,  
Mr. Sourodeep Singha  
...for the alleged contemnor DPSL, Malda (in all  
matters)

Mr. Amitava Chaudhuri,  
Mr. N. Roy,

Mr. Pradipta Siddhanta  
 ..for the applicant (in RVW 206 of 2024, RVW 278 of 2024, RVW 280 of 2024, RVW 281 of 2024 and RVW 283 of 2024)

Mr. Debashis Saha  
 ..for the review application (RVW 206 of 2024)

1. Review is sought of the order dated 26<sup>th</sup> April, 2024 by the DPSC, Malda to indicate that they had not given their consent to the same on the said date.
2. Mr. Sudipta Dasgupta, learned counsel appearing for the petitioner submits that the absence of consent was not indicated to this Court or to any other parties when the order dated 26<sup>th</sup> April, 2024 was taken up for correction on 30<sup>th</sup> April, 2024.
3. It is further submitted that in an appeal being MAT 994 of 2024 filed by certain applicants, whose prayer for the benefit of the order dated 26<sup>th</sup> April, 2024 was turned down by this Court, for coming after the cut off date, was dismissed on 24<sup>th</sup> June, 2024. Even in course of hearing of the said appeal, the DPSC, Malda has not stated that they had not given consent in the order dated 26<sup>th</sup> April, 2024.
4. Mr. Partha Sarathi Bhattacharya, learned Senior Counsel appearing for the DPSC, Malda in reply submits that the DPSC had never given consent in writing. Even if their counsel had not given consent orally, the same cannot be binding on the DPSC since it is contrary to law.
5. Having heard the learned counsel for the parties,

this Court notes with pain that the DPSC has been taking contradictory stand and has not come at the early stage before this Court to indicate that they had not formally approved the consent communicated to this Court by their counsel.

6. Be that as it may, since the orders have been passed on consent and such consent has never been given in writing or given and withdrawn, this Court is inclined to recall the order dated 26<sup>th</sup> April, 2024.

7. In view of the above, all the review applications along with connected applications shall stand disposed of.

8. All the writ petitions be placed before the appropriate bench having appropriate determination.

9. In view of the above, CPAN 1082 of 2024 shall also stand disposed of.

10. Rule, if any, shall stand discharged.

11. There shall be no order as to costs.

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

***(Rajasekhar Mantha, J.)***