

26. 02. 2024

BP/Gb
Sl. 5 & 6
Court No. 38

RVW 170 of 2023
with
CAN 1 of 2023
in
C.O. 3165 of 2022

Mukti Pada Malas
Vs.
Bhagbat Chandra Dey & Ors.

Mr. Satrajit Sinha Roy
Mr. Tapan Kumar Pradhan
Mr. Tapan Roy
Mr. W. Saha
..for the petitioner/applicant

Mr. Sukanta Das
Mr. Snehasis Jana
Mr. Anulekha Bera
..for the O.P. Nos. 1 to 4

This is an application for review of an order dated
12th December, 2022.

It is submitted that the recording in order dated
12th December, 2022 based on the submissions of
Advocate that the money had already been withdrawn was
mistakenly made. The Advocate had only relied on the
Information Slip.

Admittedly, there is an error on the face of the
records. There is nothing to substantiate that the money
has already been withdrawn.

In such circumstances, this application stands allowed. The order dated 12th December, 2022 stands recalled. RVW 170 of 2023 stands allowed.

Let C.O. 3165 of 2022 be placed before the Regular Bench having determination. It is made clear that there has been no adjudication on the merits of the order dated 24th September, 2013 which is the subject matter of challenge in the revisional application.

(Ravi Krishan Kapur, J.)