

AD-6
Ct No.11
02.05.2025
(SSS)

RVW 29 of 2024
With
CAN 1 of 2024
With
CAN 2 of 2024
In
WPCT 125 of 2023

Smt. Meena Oraon
Vs.
Union of India and Ors.

Mr. Arun Kr. Paul,
Ms. Shikha P. Chowdhury
...For the Petitioner.

Ms. Chandreyi Alam,
Ms. Sabita Roy
....For the Respondents.

Aggrieved by the order dated 15.09.2023 passed in the writ petition being WPCT 125 of 2023, the applicant has preferred the present review petition being RVW 29 of 2024. In connection with the same, an application for modification being CAN 2 of 2024 has also been filed.

Ms. Chowdhury, learned advocate appearing for the applicant submits that in the order dated 15.09.2023 it was erroneously observed that Rabi Oraon was born on 01.01.1987 prior to the death of the first wife on 03.04.1988 and that the applicant contracted second marriage during subsistence of the first marriage of her husband. Such finding is

inconsistent with the materials on record and has led to an erroneous order. In view of such error apparent on the face of records, the order needs to be reviewed.

She further argues that the Court failed to appreciate that the petitioner married Muskoo Oraon after the death of his first wife and that as such her marriage was a valid marriage. Such error is self-evident and does not require any long process of reasoning. In support of argument, reliance has been placed upon an affidavit affirmed by the applicant, annexed as R6 to the review application.

Ms. Alam, learned advocate for the respondents denies and disputes the contentions of the petitioner and submits that decision was taken by the authorities on the basis of the particulars furnished by the applicant, as detailed in paragraph 4 of the affidavit-in-opposition. There is, thus, no patent error on the face of records and the parameters prescribed for review do not postulate a rehearing of the dispute.

We have heard learned advocates appearing for the respective parties and considered the materials on record.

In the order dated 15.09.2023 it was recorded that in the original application itself the petitioner had declared herself to be the second wife and that Rabi Oraon was her son, who was born on 01.01.1987 whereas the first wife expired on 03.04.1988. On the basis of such pleadings, the

Court recorded that the petitioner contracted the second marriage during the subsistence of the first marriage of her husband and she cannot be treated as the legal married wife of the deceased employee.

Matters which ought to have been urged in the course of hearing of the writ petition have been sought to be agitated afresh and as such the argument of Ms. Chowdhury that the writ petition needs to be reheard is not acceptable to this Court.

The grounds taken in the review application do not establish any error whatsoever on the face of the records nor the application for review had been preferred upon discovery of any new and important piece of evidence.

In view thereof, no interference is called for.

The review application being RVW 29 of 2024 and the connected application being CAN 2 of 2024 are, accordingly, dismissed.

There shall however be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, shall be granted to the parties as expeditiously as possible, upon compliance of all formalities.

(Partha Sarathi Chatterjee, J.)

(Tapabrata Chakraborty, J.)

