

09.07.2025
Sl. No. 13
Ct No. 3
tkm

**CAN 2 of 2025
in
WPA 3217 of 2025**

**M/s. Joy Kali Oil Mill and Company & Anr.
Vs
The Barrackpore Municipality & Ors.**

Mr. Rahul Karmakar
...for the applicant in CAN 2 of 2025

Mr. Siddhartha Banerjee,
Ms. Sharmistha Laha,
Mr. S Majumder.
...for the writ petitioners

1. This is an application for review/recall filed by the review petitioner seeking reconsideration of the order dated 2.4.2025 passed by this Court in the abovementioned writ petition.
2. The case of the review petitioner is that he had earlier filed CAN 1 of 2025 in the said writ petition, *inter alia*, praying for his impleadment as a party respondent. It is his contention that this court while disposing of the writ petition by the aforesaid order dated 2.4.2025, failed to take note of the pendency of the said application for impleadment. As a result of which, the same remained undisposed of.
3. It is pertinent to note that the writ petition was filed alleging non-compliance of the order dated 10.5.2025 passed in WPA 313 of 2023. Upon

consideration of the materials on record, this court, by order dated 2.4.2025, disposed of the writ petition with a direction to the respondent authority to ensure compliance with the earlier direction passed by this court in WPA 313 of 2023.

4. When the matter was taken up for hearing on 2.4.2025, none appeared on behalf of the review petitioner. In the absence of any representation, this court proceeded to dispose of the writ petition along with CAN 1 of 2025. While disposing of the said writ petition, this Court was of the considered view that the impleadment of the review petitioner would not serve any substantial purpose, given that the writ petition was confined to securing compliance with an already existing and binding direction passed by this court in WPA 313 of 2023.

5. It is a settled principle of law that the scope of review is extremely limited and may only be exercised where there exist clear error apparent on the face of the record, or where the order under review has caused manifest injustice. A review proceeding is not to be treated as an appeal in disguise.

6. Upon duly consideration of the ground urged, this court finds no error or mistake apparent on the face of the record that would warrant the exercise of its review jurisdiction.

7. Accordingly, the review/recall application is dismissed.

8. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall be deemed to have been denied.

(Gaurang Kanth, J.)