

**R.V.W. 70 of 2024
With
CAN 1 of 2024**

**Kaustabh Mondal & Anr.
Vs.
Niranjan Saha**

Mr. Subhendu Banerjee

...for the applicant

1. The matter was earlier decided by a division Bench comprising of one of us (Madhuresh Prasad, J.) and the matter thereafter has been listed under an assignment order dated 02.05.2025 of the Hon'ble the Chief Justice.
2. We, therefore, proceed with the instant matter.
3. The learned counsel for the applicant has made an attempt to reargue the case on merits by submitting that the order passed earlier by the coordinate Bench was incorrect.
4. The contours of review by now stand fairly settled. The forum of review cannot be used for rearguing a matter before the same Court and a matter cannot be argued as an appeal in the garb of a review. The grounds for review are by now very well defined. No error of record has been pointed out, nor it is the case of the applicant that any relevant material despite due diligence could not be brought before the Court; nor any such similar plea is raised. Our view is fortified by decision of

the Apex Court in the case of **Shri Ram Sahu Vs. Vinod Kumar Rawat** reported in **(2021) 13 SCC 1**.

5. In the circumstances, the review application appears to be misconceived.
6. The same is accordingly dismissed.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)