

AD-3
Ct No.36
28.03.2025
(SSS)

RVW No. 50 of 2021
In
CO 1063 of 2020

Ashok Kumar Pandit
Vs.
Hamid Ali Mondal @ Lalu and Ors.

Mr. Debasis Sur,
Mr. Angsuman Patra
.....For the Petitioner.

1. This is an application for review of the order dated January 5, 2021.
2. This court does not find any ground for review of the order. This court had held that the learned Trial Court had exercised discretion by accepting the written statement of the opposite parties upon imposition of cost of Rs.5000/-. The court did not find any reason to interfere with the order in exercise of judicial review under Article 227 of the Constitution of India. The court did not find the order to be perverse. The reasons justifying such finding have been elaborately discussed in the order.
3. By this review application, the petitioner is trying to re-urge the points which were raised in CO 1063 of 2020. Review cannot be a process for

reopening a disposed of matter. Grounds for review of an order are very specific. It is not the petitioner's case that at the time of hearing of the civil revisional application, the petitioner was either not ready with the facts or that certain documents had been discovered later, which would have a serious impact on the order reviewed from. It is not a case either of discovery of evidence or error apparent on the face of record.

4. The petitioner, in effect, has filed this review application as an appeal from the order of this court. This court had elaborately discussed the reasons as to why daily labourers, who did not have adequate access to the learned Advocate after transfer of the suit, should be granted an opportunity to defend the suit, upon payment of cost. The written statement was accepted by the learned Trial Judge upon imposing cost of Rs.5,000/-. This court had also directed that, if in future, the defendants were negligent, the learned Trial Judge would be at liberty to take steps in accordance with law. Under such circumstances, the review application is dismissed.

(Shampa Sarkar, J.)