

14.01.2025
Item Nos.24 & 25
PG/KS
Ct. No.1

R.V.W. 209 of 2024
With
I.A. No. CAN 1 of 2024
With
I.A. No. CAN 2 of 2024
In
M.A.T. 485 of 2024
Diamond Papers and Board
Mills & Anr.
Versus
Sunidhi Developers Private
Limited & Anr.
With
M.A.T. 486 of 2024

Mr. Joydeep Kar, Sr. Adv.
Mr. Dipayan Kundu.....for the review applicants

Mr. Soumya Majumder, Sr. Adv.
Mr. Karan Dudhewala
Ms. Aishwarya Rajyashree.....for the respondents 1 & 2

Mr. Suman Sengupta
Mr. Sanatan Panja.....for the State

1. This review application has been filed by the appellants in M.A.T. 485 of 2024 to review the judgment and order dated May 16, 2024. Another review application was filed to review the judgment and order dated May 16, 2024 in M.A.T. 486 of 2024, which, in fact, is a common order in both the appeals. The said review application was dismissed by order dated August 6, 2024. Against the said order passed in the review application being R.V.W. 218 of 2024 arising out of M.A.T. 486 of 2024, the appellants filed appeals before the Hon'ble Supreme Court in Special Leave to Appeal (C) No(s.) 24752-24753 of 2024 and the said appeals

were disposed of by the Hon'ble Supreme Court on October 25, 2024 by passing the following order:

"UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the petitioners.

We dispose of these Special Leave Petitions by observing that the observations of the Division Bench of the High Court are only prima facie in nature, the same would not come in the way of the petitioners to establish their cases against the observations of the Division Bench. If the petitioners are able to support their cases with the necessary documents and materials, the same shall be considered on its own merits and in accordance with law.

Pending application(s), if any, shall stand disposed of.

2. The learned senior advocate appearing for the review applicants submitted that the review application may be disposed of taking note of the order passed by the Hon'ble Supreme Court in appeals arising out of the other review application i.e. R.V.W. 218 of 2024.
3. Accordingly, the review application is dismissed with the observation that the views expressed in the order passed by this Court is only prima facie in nature and would not come in the way of the petitioners to establish their case against the observation of the Division Bench and if the petitioners are able to support their case with necessary documents and materials, the same shall be considered on its own merits and in accordance with law.
4. No costs.

5. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)