

D/L.8 to 23.
August 14, 2025.
MNS.

RVW No. 178 of 2025
+
CAN 1 of 2025
in
FAT No. 496 of 2019

State of West Bengal
Vs.
Sanat Hazra
With
RVW No. 179 of 2025
+
CAN 1 of 2025
in
FAT No. 494 of 2019

State of West Bengal
Vs.
Sova Purkait
With
RVW No. 180 of 2025
+
CAN 1 of 2025
in
FAT No. 485 of 2019

State of West Bengal
Vs.
Ajit Hazra
With
RVW No. 181 of 2025
+
CAN 1 of 2025
in
FAT No. 489 of 2019

State of West Bengal
Vs.
Manju alias Manjushree Hazra
With
RVW No. 182 of 2025
+
CAN 1 of 2025
in
FAT No. 492 of 2019

State of West Bengal
Vs.
Sankari Hazra
With
RVW No. 183 of 2025

+
CAN 1 of 2025
in
FAT No. 497 of 2019

State of West Bengal
Vs.

Tarun Kumar Bera
With
RVW No. 184 of 2025

+
CAN 1 of 2025
in
FAT No. 498 of 2019

State of West Bengal
Vs.

Rita Das
With
RVW No. 185 of 2025

+
CAN 1 of 2025
in
FAT No. 502 of 2019

State of West Bengal
Vs.

Purnima Bayen
With
RVW No. 186 of 2025

+
CAN 1 of 2025
in
FAT No. 504 of 2019

State of West Bengal
Vs.

Snigdha Das
With
RVW No. 187 of 2025

+
CAN 1 of 2025
in
FAT No. 505 of 2019

State of West Bengal
Vs.

Swagata Das
With
RVW No. 189 of 2025

+
CAN 1 of 2025
in
FAT No. 486 of 2019
+

CAN 1 of 2019(Old No. CAN 10693 of 2019)
+
CAN 2 of 2019(Old No. CAN 10897 of 2019)
+
CAN 3 of 2020(Old No. CAN 1845 of 2020)

State of West Bengal
Vs.
Anima Das
With
RVW No. 190 of 2025
+
CAN 1 of 2025
in
FAT No. 491 of 2019

State of West Bengal
Vs.
Kanan Bala Naskar
With
RVW No. 191 of 2025
+
CAN 1 of 2025
in
FAT No. 500 of 2019

State of West Bengal
Vs.
Dilip Kar and others
With
RVW No. 192 of 2025
+
CAN 1 of 2025
in
FAT No. 503 of 2019

State of West Bengal
Vs.
Manju alias Manjushree Hazra and others
With
RVW No. 193 of 2025
+
CAN 1 of 2025
in
FAT No. 487 of 2019

State of West Bengal
Vs.
Anjali Paul
With
RVW No. 194 of 2025
+
CAN 1 of 2025
in
FAT No. 488 of 2019

State of West Bengal
Vs.
Arup Kumar Bera

Mr. Susovan Sengupta,
Mr. Subir Pal

... for the review applicant/State.

Mr. Debayan Bera,
Mr. Sakti Prasad Chakraborti

...for the claimants/respondents.

1. All the present review applications have been filed in respect of similar orders passed in connection with different appeals preferred from the self-same land acquisition process.
2. By an initial order passed in each of the appeals, applications for condonation of delay filed by the State/appellant were allowed subject to payment of costs of Rs.5,000/- to the High Court Legal Services Committee for the purpose of welfare of the children in the correctional homes in the State of West Bengal.
3. However, despite such condition being imposed, the said deposits were not made within the time stipulated therein. After about three years thereafter, when the matters came up before this Court by way of applications for appropriate order made by the State/appellant, we, in the order under review, had dismissed such applications by observing that it was categorically mentioned in the initial orders that failing the deposit in terms of the

order allowing the condonation of delay, the respective appeals would stand automatically dismissed without further reference to this Court. As such, the dismissal of the respective appeals as time-barred was automatic in the event of non-payment of the costs within the period stipulated therein.

4. However, thereafter we had recorded that the State-appellant adopted an utterly negligent attitude in not taking any steps for putting in the deposit for almost three long years. We also observed that such gross negligence was unpardonable and invoked two principles, first that the State or any authority for that matter is not a favoured litigant and secondly if the applicant in a condonation application is palpably negligent, the benefit of Section 5 of the Limitation Act cannot be accorded to such a litigant.
5. In view of such observations, by the order under review, we had dismissed the respective applications for appropriate orders by refusing to recall the order of dismissal and/or to extend the time for putting in the deposits. As a result, the respective appeals stood *non est*, being time-barred.
6. Learned counsel appearing for the State/applicants, being the review applications, submits that although the respective cheques were prepared,

from May, 2022 onwards till the year 2024, those could not be deposited in time, since there was a minor delay in depositing the same, the Chairman of the High Court Legal Services Committee refused to accept the cheques.

7. As per the averments made in the applications for stay filed in connection with the present review applications, the review applicant was advised to approach the learned Advocate appointed in the said appeals for taking necessary steps, which were done. However, the averments even in the present application are totally silent as to exactly when such approach was made to the learned Advocate.
8. The averments, thereafter, straightaway jump to the fact that the application was affirmed only in January 14, 2025, that is, about three years after the date of passing of the original order.
9. Hence, even in the recall application, no reason whatsoever has been furnished for the huge delay of three years for making the deposits. In any event, the arguments now sought to be advanced pertain to the merits of the order under review and do not come within the contemplation of error apparent on the face of the record or discovery of new material as envisaged in Order XLVII of the Code of Civil Procedure.

10. Thus, we do not find any scope of entertaining the review applications.

11. Accordingly, the review applications, as detailed below, are hereby dismissed:

- i) RVW 178 of 2025 (FAT 496 of 2019),
- ii) RVW 179 of 2025 (FAT 494 of 2019),
- iii) RVW 180 of 2025 (FAT 485 of 2019),
- iv) RVW 181 of 2025 (FAT 489 of 2019),
- v) RVW 182 of 2025 (FAT 492 of 2019),
- vi) RVW 183 of 2025 (FAT 497 of 2019),
- vii) RVW 184 of 2025 (FAT 498 of 2019),
- viii) RVW 185 of 2025 (FAT 502 of 2019),
- ix) RVW 186 of 2025 (FAT 504 of 2019),
- x) RVW 187 of 2025 (FAT 505 of 2019),
- xi) RVW 189 of 2025 (FAT 486 of 2019),
- xii) RVW 190 of 2025 (FAT 491 of 2019),
- xiii) RVW 191 of 2025 (FAT 500 of 2019),
- xiv) RVW 192 of 2025 (FAT 503 of 2019),
- xv) RVW 193 of 2025 (FAT 487 of 2019)

&

- xvi) RVW 194 of 2025 (FAT 488 of 2019)

12. Consequentially, the applications for stay, all numbered as CAN 1 of 2025, filed in connection with each of the review applications, are also disposed of.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)