

25.04.2025
Court No. 36
Sl. No. 07
Cp

RVW/295/2024
with
CAN/2/2024,
CAN/1/2024
in
WPA No.9307 of 2022

Hareshbhai Vinubhai Patel
Vs.
Eastern Coalfields Limited & Ors.

Mr. Dibyendu Chatterjee
Mr. Rahul Deb Goenka
Ms. Ankita Banerjee

..... for the applicant.

Mr. Syed Nurul Arefin

.....for the E.C.L.

Re: CAN 2 of 2024

CAN 2 of 2024 is an application for condonation of delay under Section 5 of the Limitation Act, in filing the review application.

It is contended by the learned advocate appearing on behalf of the applicant that there is approximately 74 days delay.

Sufficient cause is shown. The delay is condoned. I admit the review application (RVW 295 of 2024) by allowing the application under Section 5 of the Limitation Act, 1963 (CAN 2 of 2024).

Re: RVW 295 of 2024

This Court does not find any ground for review. This Court dismissed the writ petition on the ground of lack of

jurisdiction, inter alia, holding that the property was situated in Jharkhand and all the respondents were within the jurisdiction of Jharkhand. The cause of action for filing the writ petition was non-payment of rent in respect of property situated at Jharkhand. As such, this court held that the Calcutta High Court could not entertain the writ petition.

The fact that two of the respondents have their offices in West Bengal, will not be adequate for the petitioner to maintain the writ petition.

The cause of action and the subject matter of the dispute in the writ petition was recovery of unpaid rent. Such recovery was sought to be made in respect of a property which was situated at Jharkhand and the allegation was that the officers of the Eastern Coalfields Limited allegedly occupying the premises at Jharkhand, were not paying rent.

Thus, I do not find any ground for review of the order of this Court. The review application is dismissed.

The petitioner is always at liberty to take appropriate steps as permissible in law.

With such dismissal of the review application, connected application being CAN 1 of 2024 is also dismissed.

(Shampa Sarkar, J.)