

Dd 35 12.05.2026
(Bench ID-266046)

RVW/175/2025
SCORPION COOPERATIVE AND ANR
VS
KOLKATA METROPOLITAN DEVELOPMENT
AUTHORITY AND ORS
IA NO: CAN/1/2025
In
FMA/871/2025
SCORPION CO OPERATIVE HOUSING
SECIETY
LTD AND ANR
VS
KOLKATA METROPOLITAN DEVELOPMENT
AUTHORITY AND ORS

Mr. Abhidipto Tarafder,
Mr. Shourya Dasgupta,
Mr. Rajib Ghosh, Advocates
... ... For the Review Applicants

Mr. Satyajit Talukder,
Mr. Arindam Chatterjee, Advocates
... ... For the KMDA/Respondent Nos. 1 to 4

1. Review applicants seek review of the judgment and order dated May 20, 2025 passed in FMA 871 of 2025.
2. Learned advocate appearing for the review applicant refers to paragraphs 11 and 12 of the judgment and order dated May 20, 2025 under review. He submits that, the finding of the Court that, there is no material placed on record to suggest that, the appellant applied before the authorities for the purpose of extension of time to make construction is incorrect. He submits that there are 3 letters for extension of time to complete the consecution after

expiry of the period of three years fixed for completing the construction.

3. Respondents are represented.
4. Paragraph 11 of the judgment and order dated May 20, 2025 notes that, the lease deed dated June 13, 2002 is the formal allotment of time to complete the construction and in terms of the clauses thereof time expired on June 12, 2005. No construction was done within such period of time.
5. Admittedly, no letter seeking extension was issued by the review applicant within the period of three years. It is in such context the last sentence in paragraph 11 was recorded.
6. It is contended on behalf of the review applicants that in paragraph 12, the judgment and order under review recorded that, the authorities were not approached for extension of time within the period of three years from the date of formal allotment or even subsequently.
7. We find that, a show cause notice dated May 7, 2009 was issued by the authorities to which the authorities replied on May 19, 2009. Thereafter, appellants were heard by the authorities. It is only after a show cause notice, the reply thereto and hearing being afforded, the order of cancellation dated November 17, 2011 was issued.
8. In the garb of a review, the review applicant should not be permitted to challenge the judgment and order under review, as an appeal.
9. In such circumstances, we find no merit in the review petition.

10. RVW/175/2025 and the connected applications are **disposed of** without any order costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)