

16.04.2026

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**RVW 246 of 2025**

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IA No.: CAN 1 of 2025

**Amrita Jana Singh**

– *Versus* –

**The State of West Bengal & Others**

in

FMA 749 of 2025

Mr. Partha Sarathi Bhattacharyya,  
Mr. Syed Mosihar Rahaman,  
Mr. Raju Bhattacharyya  
... for the Applicant/Petitioner.

Mr. Suddhadev Adak,  
Mr. Dilip Kr. Ghosh  
... for the State/Respondents.

Mr. Ritwik Pattanayak  
... for the Respondent nos.5 – 7.

Aggrieved by the order dated 19<sup>th</sup> June, 2025 passed in the appeal being FMA 749 of 2025, the appellant/applicant has preferred the present review petition being RVW 246 of 2025 along with an application being CAN 1 of 2025.

Mr. Bhattacharyya, learned senior advocate appearing for the applicant submits that the private respondents suppressed materials facts and misled the Court stating that they are the owners of the land at plot no.3359 (hereinafter referred to as the said land). It would, however, be explicit from the documents annexed to the application, filed in connection with the review petition that the applicant is the owner of a

portion of the said land. The document at page 21 of the application would reveal that the competent authority directed the Sub-Assistant Engineer, P.W. (Roads) Department to make necessary arrangements for handing over a part of the plot no.3359. Pursuant thereto, necessary fees were deposited by the grandmother of the applicant for relinquishment of possession, as would be explicit from the document at page 22 of the application. The document at page 23 would reveal that the said land was recorded in the name of Jagadish Chandra Singh, the father of the applicant, who constructed a building upon the said portion of plot no.3359. The documents annexed at pages 24 to 45 of the application would reveal that a gift deed was executed by Jagadish Chandra Singh in favour of the applicant. In view thereof, there can be no dispute as regards the applicant's ownership of the land. The private respondents could not produce any document as regards their ownership over the said plot and thus had no authority to prevent the applicant from constructing a grill gate on the said land of which she was the owner.

Mr. Pattanayak, learned advocate appearing for the private respondent nos. 5-7 and Mr. Adak, learned advocate appearing for the State deny and

dispute the contention of Mr. Bhattacharyya and submit that the documents upon which reliance has been placed by Mr. Bhattacharyya were available to the applicant at the time of hearing of the appeal. However, no steps were taken by the applicant to bring the said documents on record and to place reliance upon the same. In view thereof, the matter cannot be reargued on the basis of the said documents.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

In the order dated 19<sup>th</sup> June, 2025 this Court did not interfere with the order passed in the writ petition as the dispute involved disputed question of facts. The parameters prescribed for review do not postulate a rehearing of the dispute because a party has not highlighted all the aspects of the case at the time of hearing of the appeal. Matters which ought to have been urged in course of the appeal have been sought to be agitated afresh.

Review proceedings are not by way of appeal. Power of review may be exercised when some mistake or error apparent on the face of record is founded. The arguments advanced by Mr. Bhattacharyya and the grounds taken in the review application do not in any manner establish

any error whatsoever on the face of the record nor the application for review had been preferred upon discovery of any new and important piece of evidence.

For the reasons stated above, no interference is called for and the review petition along with the application being CAN No. 1 of 2025 is, accordingly, dismissed.

It is, however, made clear that such dismissal shall not prevent the applicant from placing reliance upon the documents, annexed to the review petition and its connected application in any civil proceeding pending or if initiated.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

**(Reetobroto Kumar Mitra, J.) (Tapabrata Chakraborty, J.)**