

s/L 15 to 17  
13.05.2026  
Court No.04  
B.K.N

**R.V.W. 216 of 2023**

**With**

**CAN 1 of 2026**

**Union of India & Ors.**

**Vs.**

**Balaram Sardar**

**With**

**C.P.A.N. 1280 of 2023**

**Balaram Sardar**

**Vs.**

**Mr. Tarique, Sr. Divisional Railway Manager,  
Eastern Railway, Sealdah**

**With**

**W.P.C.T. 37 of 2022**

**Balaram Sardar**

**Vs.**

**Union of India & Ors.**

**(ASSIGNED)**

*Mr. Rudra Jyoti Bhattacharjee,  
Ms. Debjani Ghosal*

*...for the Review Applicants.*

*Mr. Satyendra Agarwal,  
Mr. Bijoy Bag,  
Mr. Goutam Malik*

*...for the Applicant in Contempt Application  
& for the Respondent in Review Application.*

*Mr. Sanajit Kumar Ghosh,  
Mr. Subrata Santra*

*...for the U.O.I.*

**In Re: CAN 1 of 2026 in R.V.W. 216 of 2023**

1. An application for condonation of delay of 211 days in filing review application is considered and without much serious objection is allowed.
2. Application being CAN 1 of 2026 is disposed of.

**In Re: R.V.W. 216 of 2023**

1. Heard the learned advocate for the review applicants.
2. The review applicant wants to reargue the appeal on merits by submitting that the order passed by the Hon'ble Division Bench is incorrect.

3. The scope of review by now is well settled. Recent decision of the Hon'ble Apex Court in the case of ***The State of Telangana & Ors. –Vs.- Mohd. Abdul Qasim (Died) Per Lrs.*** reported in **2024 (6) SCC 461** wherein the Hon'ble Apex Court has reiterated the Law that a review is not to be confused as an appeal as a forum for rearguing the issue on merits. The review jurisdiction by now is well settled. The same is to be invoked strictly in exercise of a scope of review, when there is an error apparent on the face of the record.
4. The other condition under which review can be exercised is some vital material evidence which despite due diligence could not be placed before the Court, or for any other sufficient reasons. In the present case no such grounds were urged for invoking the review jurisdiction.
5. The review application is dismissed.
6. At this juncture the learned advocate for the Union of India prays that the judgment of the Hon'ble Division Bench be stayed.
7. Since we have not entertained the review, we find no scope for passing any such order.

**(Madhuresh Prasad, J.)**

**(Prasenjit Biswas, J.)**