

**January 16,
2018
R.C.**

**RVW 248 OF 2017
WITH
CAN 11260 OF 2017 (Sec.5)
WITH
CAN 11209 OF 2017(Stay)
IN
W.P.C.T. 127 OF 2016**

=====

P.M. Manoj Kumar & Ors.

Vs

Union of India and Ors.

=====

**Mr. Debojyoti Bose
Mr. Bibekananda Bose,**

... for Petitioner

Mr. P.C. Das

...for Private Respondents

Mr. S.C.Mishra,

Sr. Advocate

...for Administration

Mr. S.K. Mondal, Sr. Advocate

...for Government

Respondent.

Re: CAN 11260 OF 2017

This is an application for condonation of delay in making and filing the review application.

Learned advocate for the applicants submits that, the applicants went to the Hon'ble Supreme Court by way of a Special Leave Petition against the judgement and order sought to be reviewed in the present proceedings. Before the Supreme Court, the applicants sought leave to withdraw the Special Leave Petition and file a review petition. By an order dated July 14, 2017, the Special Leave Petition was dismissed as withdrawn. The present review petition has since been filed in September, 2017. The Court should take a lenient view and allow the application. The review petition may be heard on merits.

Learned senior advocate appearing for the respondent authorities submits that, the application does

not disclose any reason for the condonation of delay. The review application should therefore, be dismissed.

The private respondents are represented.

On a query from the Court as to whether the respondents would use any affidavit dealing with the allegations made in the condonation application, the learned senior advocate for the respondent authorities submits on instructions that, the respondent should not use any affidavit. Learned advocate for the private respondents also declines to file any affidavit dealing with the allegations.

The application for condonation of delay is, therefore, taken up for consideration.

An application for condonation of delay is required to be considered leniently. The averments made in the application for condonation of delay remain uncontroverted by the respondents. The applicants seek to explain the delay by stating that the time was taken in the proceeding before the Hon'ble Supreme Court of India should be discounted. The review application was filed in September 2017 subsequent to the withdrawal of the Special Leave Petition on July 14, 2017. The applicants should have a forum to ventilate their just grievances, if any.

In such perspective, the application for condonation of delay is allowed. The review application is taken up for consideration on merits.

Learned senior advocate for the respondent authorities submits that, the review petition may be fixed for final hearing on a date suitable to the parties.

At the suggestion of the parties, February 14, 2018 3p.m. is fixed for hearing of the review petition.

CAN 11260 OF 2017 is disposed of accordingly without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(DEBANGSU BASAK, J.)

(AMITABHA CHATTERJEE,J.)

