30.04.2026
Item No.26
Ct. No. 30
Aloke

RVW 114 of 2026
in
WPA 7603 of 2025
with
CAN 1 of 2026

Joydeb Dutta
Vs
Food Corporation of India & Ors.

Mr. Samiran Mandal
Mr. Abhinaba Dan
Mr. Agniva Mondal
... for the petitioner

Mr. Kamal Kr. Chattopadhyay
Ms. Rimi Chatterjee
... for the respondents/FCI

1. The review application is moved praying for rectification of some clerical errors which occurred in the writ application preferred by the petitioner due to inadvertence of the learned Advocate-on-record for the petitioner.

2. It is stated that the error was on the part of the learned Advocate-on-record for the petitioner, which is a valid ground for review by a Court. In ***Board of Control for Cricket, India and Anr. Vs. Netaji Cricket Club & Ors. 2005 (4) SCC 741*** on 10th January, 2005, the Supreme Court held as follows :

> *"We are, furthermore, of the opinion that the jurisdiction of the High Court in entertaining a review application cannot be said to be ex facie bad in law. Section 114 of the Code empowers a court to review its order if the conditions*

precedents laid down therein are satisfied. The substantive provision of law does not prescribe any limitation on the power of the court except those which are expressly provided in Section 114 of the Code in terms whereof it is empowered to make such order as it thinks fit.

Order 47, Rule 1 of the Code provides for filing an application for review. Such an application for review would be maintainable not only upon discovery of a new and important piece of evidence or when there exists an error apparent on the face of the record but also if the same is necessitated on account of some mistake or for any other sufficient reason.

Thus, a mistake on the part of the court which would include a mistake in the nature of the undertaking may also call for a review of the order. An application for review would also be maintainable if there exists sufficient reason therefor. What would constitute sufficient reason would depend on the facts and circumstances of the case. The words 'sufficient reason' in Order 47, Rule 1 of the Code is wide enough to include a misconception of fact or law by a court or even an Advocate. An application for review may be necessitated by way of invoking the doctrine factus curiae neminem gravabit".

3. The correction prayed for in the judgment and order dated 23.06.2025 is as follows:

"In para 1 and para 27 of the said judgment and order the date 29.12.2018

be deleted and in its place the date 01.01.2019 be incorporated."

4. The review application is accordingly allowed.
5. Let this order be read along with the judgment and order dated 23.06.2025.
6. Leave is granted to the writ applicant to make the corrections in the writ application.
7. The judgment and order dated 23.06.2025 is accordingly reviewed relying upon the judgment of the Supreme Court in ***Board of Control for Cricket, India and Anr. Vs. Netaji Cricket Club & Ors. 2005 (4) SCC 741*** on 10th January, 2005.
8. The correction on review be incorporated in the original order by the department.
9. RVW 114 of 2026 stands disposed of.
10. Connected application, if any, stands disposed of.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Dutt (Paul), J.)