

Ct. No.4 D/L 10.09.2025
(Naba) 3-5

W.P.S.T. No. 118 of 2025

Afroja Begum
Vs.
State of West Bengal & Ors.

with

C.P.A.N. No. 1306 of 2025

Gita Naskar & Ors.
Vs.
Sanjoy Kumar Kundu, The Sec.,
Dept of Irrigation and Waterways,
Govt. of W.B. & Anr.

with

W.P.S.T. No. 240 of 2024
With
CAN 1 of 2025

Gita Naskar & Ors.
Vs.
State of West Bengal & Ors.

Mr. Biswarup Biswas,
Mr. Pradip Kumar Ghosh,
...for the Petitioner/s

Mr. Tapan Kumar Mukherjee, Id. AGP,
Ms. Tuli Sinha
...for the State in W.P.S.T. 118/2025

Ms. Sonal Sinha,
Ms. Ashmita Chakraborty
...for the State in serial no.4&5

Mr. Sourav Mondal
...for the Respondent No.3 (Principal
Accountant General) in W.P.S.T. 118/2025

Re: CAN 1 of 2025 (W.P.S.T. No. 240 of 2024)

1. The learned counsel appearing for the State wants to reargue the case and tried to impress upon the Court that the petitioner was not entitled to benefit of the decision in the case of **Nemai Ch. Chatterjee & Ors. Vs. State of West Bengal &**

Ors. reported in **2014 SCC OnLine Cal 9692**, relying upon which the judgement has been passed.

2. Such ground cannot be countenance in a proceeding arising out of a recall application. The contours of review are well settled and invoked in case of an error apparent on the record, or in a case of discovery of new and important evidence, which was not within the knowledge and thus could not be produced; and for any other sufficient reasons. The petition for recall cannot be converted into a re-hearing of the entire case and the Court, which has passed the order cannot hear the matter as an appeal, in garb of a recall or review.
3. We, therefore, do not find any reason to entertain the recall application.
4. The application being CAN No. 1 of 2025 is dismissed.
5. List the matter on **23rd September, 2025** under the heading "For Order".

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)