

3 **03.08.2022**

gd/ssd

MAT/1201/2022
IA NO: CAN/1/2022
KHELAI CHANDI MELA COMMITTEE AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Dibyendu Chatterjee,
Mr. Pritam Majumdar,
Ms. Piyali Paul
..for the Appellants.

Mr. Raja Saha,
Ms. Piyali Sengupta
..for the State.

Ms. Reshmi Ghosh,
Mr. Soumya Sankar Chini
..for the Respondent Nos.8 and 9.

Mr. Birendra Kumar Jha,
Mr. Anish Sen
..for the Respondent No.10.

This appeal is directed against the order of the learned Single Judge dated 25th July, 2022 in WPA 9336 of 2022.

Submission of learned counsel for the appellants is that the fair can be held at any time of the year, but in the last paragraph of the order of the learned Single Judge, we find that it was the admitted fact before the learned Single Judge that the fair cannot be held at any time of the year and has traditionally being held in a particular date in January every year.

In view of this, learned counsel for the appellants

seeks permission to withdraw this appeal with liberty to approach the learned Single Judge by filing an appropriate application.

Prayer is allowed.

The appeal is dismissed as withdrawn with liberty as prayed for.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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