

APO/110/2020
with
WPO/264/2020
IA NO: GA/2/2020
GA/3/2021

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

JUSTIN CONRAD NAGLE AND ORS.
Vs.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE ARIJIT BANERJEE
AND
The Hon'ble JUSTICE APURBA SINHA RAY
Date : October 17, 2023.

Appearance:

Mr. Shiv Shankar Banerjee, Advocate
Ms. Arijita Ghosh, Advocate
....for Appellants
Mr. Alak Kumar Ghosh, Advocate
Ms. Tanushree Dasgupta, Advocate
...for KMC
Mr. Shyamal Chakraborty, Advocate
Mr. Debajyoti Mondal, Advocate
Ms. Anjana Das, Advocate
Mr. Sayan Ghosh, Advocate
....for Respondent no.7

The Court: Supplementary affidavit filed on behalf of the appellants in Court today, be kept with the records.

The appellants had approached the learned Single Judge by filing WPO/264/2020 challenging an order of Kolkata Municipal Corporation (in short, 'KMC'), rejecting the application of the appellants for Trade Licence/Certificate of Enlistment. Against such refusal, the appellants came up by way of the present appeal.

We are told that a coordinate Bench had directed KMC to reconsider the prayer of the appellants. KMC did consider such prayer and has again rejected the prayer of the appellants.

In view of the aforesaid, the present appeal and the writ petition have become infructuous. It will be now upto the appellants to challenge the second rejection order before the appropriate forum, in accordance with law, if so advised.

The appeal and the connected applications are disposed of.

The writ petition is also disposed of treating the same as on day's list.

We clarify that we have not gone into the merits of the case. If any fresh proceeding is initiated by the appellants, the same will be decided, in accordance with law, uninfluenced by any observation in the present order.

(ARIJIT BANERJEE, J.)

(APURBA SINHA RAY, J.)