

29.04.2024
Item No.17
gd/ssd

MAT/17/2024
IA NO: CAN/1/2024, CAN/2/2024
ALAKAI BLOCK CULTURAL AND WELFARE
ASSOCIATION AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sankar Biswas,
Ms. Ananya Adhikary
..for the Appellants.

Mr. Ayan Banerjee,
Ms. Debasree Dhamali
..for the State.

Mr. Chayan Gupta,
Mr. Saaqib Siddiqui
..for the Respondent No.3.

Re: CAN 1 of 2024

1. CAN 1 of 2024 has been filed by the appellants seeking condonation of delay of 52 days in filing the appeal.

2. Learned counsel for the appellants have referred to the explanation which has been furnished in the application and also has made submission in respect of the explanation for the delay.

3. We find that the delay in filing the appeal has been sufficiently explained and the appellants were prevented from filing the appeal within time on account of bona fide reason.

4. Hence, CAN 1 of 2024 is, accordingly, allowed. The delay in filing the appeal is condoned.

Re: MAT 17 of 2024

5. We have heard the learned advocates for either of the parties.

6. We find that the learned writ court by dismissing the writ petition on several grounds as mentioned therein.

7. We find that there is no written permission granted by the authorities for permitting the Association to put up any construction.

8. All that they were granted permission to conduct certain cultural events, the appellants appear to have taken advantage of the same and put up said and now claims that there should be permitted to carry on the activities.

9. The prayer sought for in the writ petition is thoroughly misconceived.

10. Thus. we find no grounds to interfere with the order passed by the learned Single Bench.

11. With the above observation, the appeal stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)