

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 29.04.2024

DELIVERED ON: 29.04.2024

CORAM:

**THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

**M.A.T. 141 of 2024
With
I.A. No. CAN 1 of 2024
With
I.A. No. CAN 2 of 2024**

**Shri Anupam Goswami.
Vs.**

**The Principal Secretary, Department of
Finance, Government of West Bengal & Ors.**

Appearance:-

Mr. Amit Dasgupta

Mr. Sayan Mitra

Mr. S. Naskar

.....for the appellant

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

In Re: I.A. No. CAN 1 of 2024

1. We have heard Mr. Amit Dasgupta, learned advocate appearing for the appellant.

2. There is delay of 244 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that sufficient cause has been shown for not being able to prefer the appeal within the period of limitation. I.A. No. CAN 1 of 2024 is allowed and the delay in filing the appeal is condoned.

In Re: M.A.T. 141 of 2024

3. We have heard the learned advocate for the appellant and considered the materials placed on record. Admittedly, the appellant's claim is based on a plea that he is the legal heir of his mother, who was one of the temporary licensee along with her daughter-in-law, wife of the pre-deceased son.
4. The learned Single Bench rightly noted that no right flows in favour of the appellant from such temporary license and the rule also does not provide for any grant of such temporary license. The only aspect, which the appellant would rely upon is that during the period when the temporary license was in vogue, his mother passed away and therefore, he is to be inducted as a co-licensee along with her mother, sister-in-law in respect of the temporary license.
5. Admittedly, the period of the temporary license has expired and the wife of the pre-deceased brother of the appellant has been granted a permanent license. Thus, we find no ground to interfere with the order passed by the learned Single Bench.
6. Accordingly the appeal and the connected application (I.A. No. CAN 2 of 2024) stand dismissed.
7. No costs.

- 8.** Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)

Pallab/KS AR(Ct.)