

09.09.2024
Item No.7
gd/ssd

FMA/966/2024
ANIL KUMAR DAS AND ORS.
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2024, CAN/2/2024

Mr. Rwitendra Banerjee,
Mr. Shibasis Chatterjee
..for the Appellants.

Mr. Debangshu Dinda
..for the State.

1. This intra court appeal is by a third party who was sought leave to file this appeal on the ground that the petitioners are co-sharers.

2. In our view, since facts are involved, the appellants should first approach the learned writ court by way of a third party review application if they want to bring the factual position on record which will be tested by the learned writ court.

3. Accordingly, the appeal is disposed of by granting leave to the appellants to file the third party review application before the learned Single Bench.

4. Since this appeal was presented before this court on 15th July, 2024 and the appellants having not been made party, the learned Single Bench may consider this aspect while considering the application for condonation of delay.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)