

19.09.2024
Item No.05
PG/KS
Ct. No.1

**R.V.W. 226 of 2024
With
I.A. No. CAN 1 of 2024
With
I.A. No. CAN 2 of 2024
In
M.A.T. 599 of 2024**

**New Town Kolkata Development Authority
& Ors.
Versus
Barun Biswas, Chairman, Manab Jati
Kalyan Foundation & Ors.**

Mr. Piyush Agarwal
Ms. Shivangi Thard
Ms. Shrivalli Kajaria.....for the review applicants

Mr. Barun Biswas..... respondent no. 1 (In person)

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

1. There is delay of 39 days in presentation of the memorandum of review by the review applicants. 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 review application within the period of limitation. Accordingly, I.A. No. CAN 1 of 2024 is allowed and the delay in filing the review application is condoned.

In Re: R.V.W. 226 of 2024.

2. This review application has been filed by the New Town Kokata Development Authority to review the order and direction dated May 16, 2024 in I.A. No. CAN 1 of 2024 with M.A.T. 599 of 2024.

3. The learned advocate appearing for the review applicants would submit that in paragraph 2 of the order, it has been recorded, as if the respondent had submitted three applications for conducting a fair cum Durga Puja and the same are pending. However, the three applications are filed for conducting a fair and not for Durga Puja.
4. The respondent, who is appearing in person submitted that as early as in December 2023, he had applied for permission to conduct fair cum Durga Puja and has also sent four reminders.
5. The learned advocate for the review applicants would submit that applications said to have been given in December 2023 and the four reminders are not part of the record in the writ petition or in the appeal.
6. In any event, the error being an inadvertent error, the same is corrected and it is recorded that the three applications filed by the respondent are for fair/mela and not for Durga Puja.
7. Since the respondent intends to conduct a Durga Puja in the particular land owned by the New Town Kolkata Development Authority, we direct the respondent to submit an application specifying the date and time and the purpose in the office of the review applicants before close of office hours on September 23, 2024.

8. The said application shall be taken on record and processed and appropriate orders be passed thereon not later than September 27, 2024.
9. With the above observations/directions, the review application stands disposed of.
10. No costs.
11. 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

(HIRANMAY BHATTACHARYYA, J.)