

27.09.2024
sdas
20

MAT 1699 of 2024
with
CAN 1 of 2024

Partha Dan & Anr.
Vs.
State of West Bengal & Ors.

Mr. Jagabandhu Roy
Mr. Shamik Bagchi
..... for the appellants

Mr. Soumik Ganguli
Ms. Sharmistha Das
..... for the Municipality

Mr. Malay Bhattacharyya
Mr. Chandidas Chatterjee
Mr. Subhrajyoti Ghosh
..... for the respondent nos. 9 & 10

Mr. Swapan Kumar Datta, Id. AGP
Mr. Dipankar Dasgupta
..... for the State

1. Appellants have approached us being aggrieved by denial of interim relief.

2. Learned Counsel for the appellants submits the appellants are owners of the property and the rice mill is illegally running therein

3. Learned Counsel for the respondent Municipality submits it is not clear that the appellants are the owners of the property. On the

other hand, licence to the Rice Mill was granted long ago.

4. We have considered the materials on record. Various litigations are pending by and between the parties with regard to the Rice Mill. In the writ petition the appellant prays for cancellation of trade licence granted by the Bankura Municipality to the private respondents to run Rice Mill. Reliance is placed on a judgment and decree passed in 2016. These issues including maintainability of the writ petition require to be adjudicated upon exchange of affidavits. There is no scope for grant of any interim relief.

5. With these observations the appeal is dismissed.

6. In view of dismissal of the appeal connection application being CAN 1 of 2024 is also dismissed.

7. There will be no order as to costs.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)