

16.05.2024
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as

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**MAT 13 of 2024
with
CAN 1 of 2024
with
CAN 2 of 2024**

**Mrs. Parbati Debi Agarwala & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Kunaljit Bhattacharjee,
Mr. Alok Sah,
Me. Sandeep Dutta.
...for the Appellant.

Mr. Subir Kr. Saha, ld. AGP.
...for the State.

Re: CAN 1 of 2024.

1. Heard the learned Advocates for the parties.
2. Having considered the averments in the application for condonation of delay and being satisfied, delay in preferring the appeal is condoned.
3. Accordingly, the application being CAN 1 of 2024 is disposed of.

**In Re: MAT 13 of 2024
with
CAN 2 of 2024**

4. Appellants are the heirs and successors of one Bodulal Agarwala who had a forest license. Bodulal Agarwala died in 1997. After five years,

appellants made a representation for granting of forest license. Thereafter, they renewed the prayer in 2022. Thereafter, they approached this Court.

5. Learned Single Judge rightly turned down their prayer on the ground of delay and laches.

6. We are in wholesome agreement with the learned Judge, more so, when license is not an heritable asset which will devolve upon the heirs and successors of the deceased licensee.

7. In the light of the aforesaid discussion, we are of the opinion there is no merit in the appeal.

8. Accordingly, appeal and connected application are dismissed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)