



D/L.16.
August 5, 2025.
MNS.

MAT No. 1134 of 2025
+
CAN 1 of 2025
+
CAN 2 of 2025

Transportation, Planning and Traffic
Engineering Directorate, Government
of West Bengal
Vs.

M/s. Maharshi Commerce Limited and others

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel,
Mr. Deo Priyo Karan

... for the appellant.

Mr. Avinash Kankani,
Mr. Sagnik Mukherjee

...for the respondent no. 1.

Re : CAN 1 of 2025 (condonation of delay)

1. Heard learned counsel for the parties.
2. In view of sufficient reasons have been shown for the delay in preferring MAT No. 1134 of 2025, CAN 1 of 2025 is allowed, thereby condoning the delay in filing the appeal.
3. There will be no order as to costs.

Re: MAT No. 1134 of 2025
+
CAN 2 of 2025

4. A *prima facie* case for hearing of the appeal on merits has been made out. Accordingly, the appeal is admitted.



5. However, in view of the short conspectus of the appeal and since the relevant papers are annexed to the application, bearing CAN 2 of 2025, and memorandum of appeal, further affidavits are not being directed and preparation of paper books is dispensed with. It is deemed that none of the allegations made in CAN 2 of 2025 admitted by the respondents.
6. Learned counsel appearing for the appellant floats a proposal as to whether the respondent no. 1 is agreeable to mutual resolution of the dispute by retaining the appellant in possession on condition of the appellant paying occupation charges at the current market rate.
7. Learned counsel for the respondent no. 1 shall take instructions from his client on such count by day after tomorrow.
8. The appeal shall be heard, on the papers already on record, on August 7, 2025, when the same will be listed under the same heading with the understanding that the appeal itself will be taken up for hearing along with CAN 2 of 2025.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)