

Court No. - 3

Case :- WRIT - C No. - 31069 of 2023

Petitioner :- M/S Harsh Construction Company And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Banshi Dhar Mishra

Counsel for Respondent :- C.S.C

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

1. Supplementary affidavit filed today be kept on record.
2. This writ petition has been filed against the order of the District Magistrate dated 25.1.2023 and the appellate order dated 28.4.2023 passed by the Commissioner.
3. Learned Standing Counsel, Sri Ankur Tandon, states that the petitioner has efficacious remedy of filing a revision under Rule 80 of the U.P. Minor Mineral (Concession) Rules, 2021.
4. Under such circumstances, we are of the view that if the petitioner files a revision within 15 days from today then the same shall be considered on merit without going into the question of limitation. If an application for interim relief is filed along with the revision, the same shall be considered and disposed of within a week from the date of its filing.
5. The writ petition is, accordingly, disposed of.

Order Date :- 2.12.2023

Rakesh

(Shekhar B. Saraf, J.) (Siddhartha Varma, J.)