

10,DL,Ct.18.
09.03.2021
AJ.

W.P.A. 5302 of 2021

**Atanu Kumar Ganguly @ Atanu Ganguly
-Vs-
The State of West Bengal & Ors.**

Mr. Bijoy Kumar Shaw.
....for the petitioner.

Md. T.M. Siddiqui,
Md. S.S. Siddiqui.
.....for the State.

The petitioner is aggrieved by the Memo No. 145/MM/2021 and Memo No.146/MM/2021 both dated February 08, 2021.

The Additional District Magistrate–cum-the District Land and land Reforms Officer, Purba Bardhaman, the respondent no.4 herein by the first memo has demanded a sum of Rs.29,78,551/- on the allegation of illegal extraction of sand.

The said respondent by the second memo directed the petitioner to show cause as to why penal action shall not be taken against him for illegal extraction of sand.

An appeal is provided under Rule 51 of the West Bengal Minor Minerals Concession Rules, 2016 against the demand of the aforesaid amount under the notice bearing Memo No. 145/MM/2021 dated February 08, 2021 and

challenge to Memo No.146/MM/2021 of the same date is premature.

W.P.A 5302 of 2021 is dismissed for the aforesaid reason.

However, it is made clear that this Court has not gone into the merit of the claim of the petitioner. The petitioner is free to take all points in the appeal available to him.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

There shall be no order for costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)