

07
04.10.2023
Ct. No.10
b.das

WPA 124 of 2023

Gurusaran Gandhi
Vs.
The State of W.B. & Ors.

Mr. D. K. Samanta
Mr. Biswapriyo Samanta
Ms. Tithi Paul ...for the petitioner.

Mr. Ansar Mandal
Mr. Asish Dutta ...for the State.

Mr. Sanjay Saha
Mr. S. Bhattacharya ...for respondent no.2.

Heard learned counsels for the parties.

The writ petition was initially filed with a prayer for directing the respondent authorities to grant mining lease in favour of the petitioner by allotting an alternative area for mining since the petitioner was unable to commence mining operation in the plots allotted to him.

The petitioner has subsequently filed a supplementary affidavit annexing an order passed by the Additional District Magistrate and District Land and Land Reforms Officer, Purulia on 14th October, 2022 in compliance of an earlier order passed by this Court on 15th September, 2022 in WPA 20503 of 2022. The petitioner assails the said order.

The order impugned is amenable to appeal under Rule 51 of the West Bengal Minor Minerals Concession Rules, 2016.

In view of the above, the writ petition being WPA 124 of 2023 is dismissed as not maintainable. However, the petitioner is at liberty to approach the appropriate forum for redressal of his grievance, in accordance with law.

In the event the petitioner prefers the statutory appeal before the appropriate forum within four weeks from date, the appellate forum shall deal with the appeal on merits without dismissing the same on the ground of limitation.

There shall be no order as to costs.

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

(Suvra Ghosh, J.)