

10.04.2023
rc/ct.no.10
Item No.01

WPA No. 529 of 2023

Mr. Rahul Karmakar
Mr. Sounak Mukherjee
Mr. Kalyan Sengupta ...for the petitioner

Mr. Ashim Kumar Ganguly
Mr. Bellal Shaikh ...for the State

Mr. Sanjoy Saha
Mr. Subhasish Bhattacharya
...for the WBMDTC Ltd.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels appearing on behalf of the parties.

The petitioner seeks to withdraw the writ petition and prefer an appeal against the order impugned under Rule 51 of the West Bengal Mines and Minerals Concession Rules, 2016 (hereinafter referred to as “the Rules of 2016”).

In view of the same this writ petition is dismissed for non-prosecution.

Liberty is granted to the petitioner to approach the appropriate forum under Rule 51 of the Rules of 2016. Such appeal be filed by the petitioner within two weeks from date.

In the event the petitioner files the appeal within the said period of time, the appropriate forum shall deal with the matter on merits in accordance with law.

There shall be, however, no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)