

May 12, 2023
(2) ARDR

WPA 1578 of 2023

Sudheshwar Kumar
Vs.
The State of West Bengal & Ors.

Adv. Mir Anowar,	...for the petitioner.
Adv. Sanjay Saha,	...for the WBMDTCL.
Adv. Soumitra Bandyopadhyay, Adv. Priyabrata Batabyal,	...for the State.

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

It is submitted on behalf of the petitioner that the order impugned in the writ petition passed by the Additional District Magistrate and District Land & Land Reforms Officer, Paschim Bardhaman, on 6th December, 2022 is amenable to appeal under Rule 51 of the West Bengal Minor Minerals Concession Rules, 2016. The writ petitioner seeks to withdraw the writ petition and approach the appropriate forum for redressal of his grievance.

In view of the above, the writ petition, being WPA 1578 of 2023 is dismissed for non-prosecution.

Liberty is granted to the petitioner to approach the appropriate forum for redressal of his grievance.

In the event the petitioner prefers the appeal within 15 days from date, the appellate forum is requested to deal with the case of the petitioner on merits without dismissing the same on the maintainability issue.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)