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jdt.

31.08.2023
jb.

W.P.A. 6578 of 2023
M/s Success Niryat Private Limited
vs.
State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya
Ms. Shounak Bhattacharyya
Mr. Satyam Mukherjee
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Mr. Sanjay Saha
Mr. Subhasish Bhattacharyya
.... For the WBMDTC Ltd.

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

The order passed by Additional District Magistrate and District Land and Land Reforms Officer, Purba Burdwan on 5th January, 2023 rejecting the representation submitted by the petitioner and requesting payment of outstanding dues is under challenge in the writ petition.

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

The petitioner seeks to approach the appropriate forum for redressal of its grievance.

In view of the above, the writ petition being W.P.A. 6578 of 2023 is dismissed as not maintainable.

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

In the event the petitioner prefers the statutory appeal within 15 days from date, the appellate authority shall deal with the appeal on merits without dismissing the same on the ground of limitation.

Pending disposal of the appeal, no coercive action shall be taken against the petitioner in respect of the plot in question.

There shall be no order as to costs.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)