

25.04.2023
rc/ct.no.10
Item No.23

**WPA No. 8721 of 2022
Rakshakali Supply
Versus
The State of West Bengal & Ors.**

Mr. Mir Anowar ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State

Mr. Sanjay Saha
Mr. S. Bhattacharjee ...for the WBMDTCL

An order passed by the District Magistrate, Purba Bardhaman on 26th August, 2021 is assailed in the writ petition. The said order amenable to appeal under Rule 51 of the West Bengal Mines and Minerals Concession Rules, 2016.

In view of the same this writ petition is dismissed as not maintainable.

However, the petitioner is granted liberty to approach the appropriate forum for redressal of his grievance.

In the event the petitioner approaches the appropriate forum within 15 days from the date, the appropriate forum shall deal with the appeal on merits without dismissing the same on the maintainability issue.

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)