

June 07, 2023
(21) ARDR

WPA 11453 of 2023

Arsed Ali Sekh
Vs.
The State of West Bengal & ors.

Adv. Joy Chakraborty, Adv. Snadip Dinda,	...for the petitioner.
Adv. Sanjay Saha, Adv. Subhasish Bhattacharya,	...for the WBMDTCL.
Adv. Soumitra Bandyopadhyay, Adv. Priyabrata Batabyal,	...for the State.

The order passed by the Additional District Magistrate and District Land & Land Reforms Officer, Purba Bardhaman on 30th January, 2023 is assailed in the writ petition. The order is amenable to appeal under Rule 51 of the West Bengal Minor Minerals Concessions Rules, 2016.

In view of the above, the writ petition is dismissed as not maintainable. However, liberty is granted to the petitioner to approach the appropriate forum for redressal of his grievance.

In the event the petitioner prefers a statutory appeal within seven days from date, the appellate authority shall deal with the appeal on merits and not dismiss the same on the maintainability issue. The appellate authority is further requested to dispose of the appeal as expeditiously as its business would permit.

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.)