

19 31.07.2023  
jb.  
Jdt.

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction**

**WPA No. 1521 of 2023  
M/s Community Development Medical Unit (CDMU)  
Versus  
State of West Bengal & Ors.**

Mr. Kumar Shantanu  
...for the Petitioner  
Mr. Subir Kr. Saha  
Mr. Pretom Das  
...for the State  
Mr. Deborshi Dhar  
...for the Siliguri Municipal Corporation  
Mr. Nabakumar Paul  
Mr. Abhishek Sarkar  
... for the respondent No. 5

The order passed by the Commissioner, Siliguri Municipal Corporation on 6th July, 2023 is assailed in the writ petition.

The said order is amenable to appeal under Section 267 of the West Bengal Municipal Corporation Act, 2006.

In view of the above, the writ petition is dismissed as not maintainable.

Liberty is granted to the petitioner to prefer statutory appeal against the said order.

In the event the petitioner files a statutory appeal within two weeks from date, the appellate authority shall deal with the appeal on merits

without dismissing the same on the ground of limitation.

There shall however, 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)**