

January 22, 2024
ARDR (19)

WPA 9639 of 2023

Bikalpa Traders Pvt. Ltd.
Vs.
The State of West Bengal & ors.

Adv. Somnath Roy Chowdhury,
...for the petitioner.
Adv. Sanjay Saha,
...for the respondent no.3.
Adv. Somnath Bandhopadhyay,
Adv. Ashim Kumar Ganguly,
Adv. Srinath Singha Roy,
Adv. Sambuddha Dutta,
...for the State.

Heard learned counsels for the parties.

The order passed by the Additional District Magistrate and District Land & Land Reforms Officer, Paschim Bardhaman on 20th January, 2023 turning down the representation submitted by the petitioner is assailed in the writ petition. The said order is amenable to appeal under Rule 51 of the West Bengal Minor Minerals Concession Rules, 2016. Also, there are several factual aspects which need to be dealt with by the appropriate authority in appeal.

In view of the above, the writ petition, being WPA 9639 of 2023 is dismissed as not maintainable.

However, the petitioner is at liberty to approach the appropriate forum in appeal for redressal of his grievance. In the event the petitioner prefers the statutory appeal within a fortnight from date, the appellate forum shall deal with the appeal on merits without dismissing the same on the ground of limitation.

It is expected that the appellate authority shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)