

30.01.2025
Item No.17
gd/ssd

WPA(P)/19/2025
SAFIKUL ISLAM SEKH
VS
WEST BENGAL MINERAL DEVELOPMENT
TRADING CORPORATION AND ORS.

Mr. Siddharta Mitra, ld. Sr. Adv.
Mr, Sandip Dinda,
Ms. Ipsita Ghosh

..for the Petitioner.

Ms. Sumita Shaw,
Mr. Soumen Chatterjee

..for the State.

Mr. Kishore Datta, ld. Advocate General,
Mr. Sanjay Saha,
Mr. Piyush Agarwal,
Ms. Shrivalli Kajaria,
Mr. Debdatta Mukhopadhyay

..for the Respondent Nos.1 and 2.

1. This writ petition is a kind of a public interest litigation by a person, who apart from stating that he is a law abiding citizen of India, would state in paragraph 4 of the writ petition that he wanted to participate in the said tender but however could not do so because of the barrier that only a Mine Developer and Operator who has been termed as MDO can apply for selection and no other entity.

2. Thus, there is a clear personal interest of the petitioner involved in this writ petition and the writ petition cannot be treated as a public interest litigation.

3. The learned Advocate General points out that the very same subject issue was challenged by another

company under the name and style “Sanvi Construction” in WPA 703 of 2025 and though the prayer was slightly different, the same was dismissed by the learned Single Bench by order dated 13.01.2025. The matter was carried on appeal before the Hon’ble Division Bench in MAT 83 of 2025 which was dismissed on 21.01.2025.

4. This is also one more good ground for not entertaining this public interest litigation.

5. Accordingly, the matter stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)