

*Present : Mr. Arijeet Mishra, Advocate for the petitioner.*

02. 26.02.2014

This petition challenges the order of the Collector, Balasore in dismissing the Appeal No. 12/2012, filed by the petitioner under the provision of Orissa Minor Minerals Concession Rules, in default.

Learned counsel for the petitioner submits that on Misc. Case being filed for recalling the said order, the Collector declined to recall the same.

We have heard learned counsel for the petitioner.

Having regard to the fact and circumstances of the case, we are of the view that the Collector, Balasore-O.P. No.1 may give one more opportunity to the petitioner to argue the aforesaid appeal, subject to payment of Rs. 2000/- (two thousand) as cost, in favour of Orissa High Court Bar Association Welfare Fund.

Accordingly we dispose of the petition in the above terms. The petitioner may appear before the appellate authority for further proceedings on March 25, 2014 along with proof of payment of the aforesaid cost. On this being done, the appellate authority may hear and decide the appeal on its own merit, in accordance with law.

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**A.K.Goel, C.J.**

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**Dr A.K.Rath, J.**