

Court No. 2
05.11.2024
(Item No. ML-48)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 9138 of 2024

New Madina Marble
VS
The State of West Bengal & Ors.

Mr. Mir Anwar
.... For the petitioner
Mr. Chandi Charan De, Ld. Addl. Govt. Pleader
Ms. Reshma Chatterjee
Ms. Jonaki Khan
.... For the State respondents
Mr. Sanjay Saha
.... For respondent No. 5

Affidavit of service filed in Court today is taken
on record.

Mr. Mir Anwar, learned advocate appears for
the petitioner.

Mr. Sanjay Saha, learned advocate appears for
respondent No. 5.

Mr. Chandi Charan De, learned Additional
Government Pleader appears for respondent Nos. 1 to
4.

The sole grievance of the petitioner is that the
appeal preferred by the petitioner under **Rule 51 of
the West Bengal Minor Minerals Concession Rules,
2016**, is still pending and not disposed of by the
jurisdictional appellate authority.

Accordingly, the jurisdictional appellate
authority, being the respondent No. 2 herein after
granting opportunity of hearing to the parties to the
said pending appeal **annexure P-6** at **page 25** to the

writ petition shall dispose of the same by passing a reasoned order in accordance with laws.

The entire exercise shall be carried out and completed by disposing of the appeal in accordance with law by the respondent No. 2 positively within a period of **eight weeks** from the date of communication of this order.

It is made clear that this Court has not gone into the merits of the claim of the petitioner in the appeal or in the writ petition and the jurisdictional appellate authority shall decide the appeal independently without being influenced by any observations made by this Court.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition **W.P.A. 9138 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)