

04.10.2024

Item No. 2

Crt.No.02

b.r.

WPA 9345 of 2024

Soid Amir Ali @ Saiyed Amir Ali

-vs-

The State of West Bengal & Ors.

Mr. S.K. Humayun Reza

..... for the petitioner.

Mr. Chandi Charan De, Ld. AGP

Mr. Arindam Sarkar

.... For the State.

Mr. S.K. Humayun Reza, learned advocate,
appears for the petitioner.

Mr. Chandi Charan Dey, learned Additional
Government Pleader, appears for the State-respondents.

The petitioner has preferred an appeal under **Rule 51 of the West Bengal Mines and Minerals Concession Rules, 2016** which has been registered as **Appeal Case No. 30 of 2023** before the **respondent no.4**. The petitioner submits that the said appeal has not yet been disposed of.

In view of the above, the jurisdictional Appellate Authority, being the respondent no.4 shall dispose of the **Appeal Case No. 30 of 2023** within a period of the **eight weeks** from the date of the communication of this order after granting an opportunity of hearing to the

parties thereto and by passing a reasoned order in accordance with law.

It is made clear that this Court has not gone into the merits of the claim writ petitioner and the petitioner and other parties to the appeal shall be at liberty to urge whatever points they wish to urge in the appeal but the same shall not beyond the scope of the said appeal.

After the appeal is disposed of as directed above, the petitioner shall collect the order from the office of the Appellate Authority within a period of **two weeks** from the date of disposal.

It is made clear that the appeal shall be heard and disposed of on its own merit in accordance with law.

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, **WPA 9345 of 2024** stands **disposed of**, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Aniruddha Roy, J.)