

S/L 2
08.8.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 17967 of 2023

[Assigned]

Sk Nasiruddin

Vs.

The State of West Bengal & Ors.

Mr. Dip Jyoti Chakraborty

...for the Petitioner.

Mr. Chandi Charan De, Ld. A.G.P

Mr. Sadhan Halder

...for the State.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The matter though has been brought to the list
under the heading '*To Be Mentioned*' for fixing a date of
hearing, but by the consent of the parties, it is taken up for
final disposal.

The learned Single Judge of this Court by an order
dated August 06, 2014 passed in *W.P. No.8465 (W) of
2014* had directed the authorities to consider the prayer
of the petitioner for renewal of his sand mining lease.

In compliance with the said direction, the
*Additional District Magistrate & District Land and Land
Reforms Officer*, Burdwan, the respondent no.3 herein by
the order impugned dated December 02, 2014 has
considered the said prayer of the petitioner and has
rejected it holding, *inter alia*, that the application for
renewal was not filed as per Rule (5) of the West Bengal
Minor Mineral Rules, 2002.

To justify the delay in challenging the order
impugned, the learned advocate for the petitioner submits

that the impugned order was communicated to his client only in the year 2023.

Mr. Chandi Charan Dey, learned Additional Government Pleader submits that the petitioner avoided the service of the order impugned.

Be that as it may, it appears that the rule under which the petitioner applied for the said renewal is not in force, besides, such application was not under the prescribed form; therefore, this Court does not find any illegality and/or infirmity in the order impugned.

WPA 17967 of 2023 is dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)