

26  
24.09.2024  
BP  
Ct. No. 2

**W.P.A 21200 of 2024**

**Prabhas Ghosh**  
**-versus**  
**State of West Bengal & Ors.**

**Mr. Rahul Karmakar**  
**Mr. Sounak Mukherjee**  
**...for the Petitioner**

**Mr. Chandi Charan De, Ld. Additional**  
**Government Pleader**  
**Ms. Reshma Chatterjee**  
**..for the State**

Affidavit of service filed in Court is taken on record.

Mr. Sounak Mukherjee, learned counsel appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the respondents.

Challenging an order dated March 24, 2023 passed by the respondent no.5 the petitioner has already filed the statutory appeal under **Rule 51 of the West Bengal Minor Minerals Concession Rules, 2016** which is pending before the respondent no. 3, Annexure P-15 at page 69 to the writ petition. The appeal is yet to be disposed of.

Considering the submissions made on behalf of the parties, the respondent no.3 is directed to dispose of the appeal by passing a reasoned order after granting an opportunity of hearing to the parties thereto positively within a period of three months from the date of communication of this order in accordance with law.

It is made clear that this Court has not gone into the merits of the writ petition.

The parties to the said statutory appeal shall be at liberty to urge their respective points in connection with the pending appeal.

Since the 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 21200 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.)**