

08.11.2024
Ct. No. 2
Sl. No. 22
Moumita/SM

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 25786 of 2024

**Suman Basu
Vs
State of West Bengal and Ors.**

**Mr. Syed Shamsul Arefin
Mr. Nadira Abedin
..... for the Petitioners**

**Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Ms. Suchana Banerjee, Adv.
Mr. Subhasis Bandyopadhyay, Adv.
.....for the Respondents**

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

Mr. Syed Shamsul Arefin, learned Counsel appearing for the petitioner.

Mr. Subhasish Bandyopadhyay led by Mr. Soumitra Bandyopadhyay, learned State Advocate appearing for the respondents.

Through this writ petition the petitioner has challenged the impugned order dated **March 6, 2024 at page 33** to the writ petition under which the mining lease granted in favour of the petitioner was not extended and/or no further alternative arrangement was made as prayed for by this petitioner.

The impugned order is appealable under **Rule 51 of the West Bengal Minor and Minerals Concession Rules, 2016.**

Considering the purport of the impugned order it appears to this court that, to challenge the same the statutory appeal is the appropriate remedy.

Accordingly, this writ petition **WPA 25786 of 2024** stand **dismissed**, without any order as to costs.

The petitioner shall be at liberty to prefer the statutory appeal positively within a period of four weeks from date before the appropriate jurisdictional appellate authority. In the event such an appeal is preferred the same shall be registered on the same day and the jurisdictional appellate authority after granting an opportunity of hearing to the parties to the appeal shall dispose of the same by passing a reasoned order strictly in accordance with law as expeditiously as possible but not later than six months from the date of registration of the appeal.

It is made clear that this court has not gone into the merits of the writ petition and petitioners shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents, they wish to rely upon before the jurisdictional appellate authority.

(Aniruddha Roy, J.)