

17.03.2025
Ct. No. 2
Sl. No. 11
Moumita

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

WPA 5064 of 2025

**Sri Mahesh Saraf
Vs
The State of West Bengal and Ors.**

**Mr. Sanjib Bandhopadhyay
Mr. Manoj Kr. Mondal
..... for the Petitioner**

**Mr. Sanjay Saha
Mr. Raju Mondal
.....for the Respondent Nos. 2 and 3**

**Mr. Chandi Charan De, Ld. Addl. Govt. Pleader
Mrs. Reshma Chattarjee
....for the State-respondents**

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

Mr. Sanjib Bandhopadhyay, learned Counsel
appears for the petitioner.

Mr. Sanjay Saha, learned State Advocate appears
for the respondent nos. 2 & 3.

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

The order impugned dated November **8, 2023**
passed by the respondent no. 6 is an order appealable
under **Rule 51 of the West Bengal Minor Minerals
Manual, 2016.**

Petitioner shall be at liberty to file the statutory
appeal on the self-same cause of action before the

jurisdictional appellate authority within ***two weeks*** from date.

In the event such an appeal is filed the jurisdictional appellate authority shall decide the same and dispose it of within a period ***three months*** from the date of registration of the appeal, after granting opportunity of hearing to all the parties concerned in the appeal 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 of the petitioner and the petitioner shall be at liberty to urge all points before the jurisdictional appellate authority.

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

In view of the above, this writ petition **WPA 5064 of 2025** stands **dismissed**, without any order on merit.

(Aniruddha Roy, J.)