

10.7.2025
Sl. No.5
Court No.4
Ali

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 995 of 2025

**Nuremujassim
Vs.
The State of West Bengal & Ors.**

Mr. Bikramaditya Ghosh,
Mr. Ved Rai,
Mr. Vivek Saha

.... for the Petitioner.

Mr. Joyjit Choudhury, Ld. AAG
Mr. NABANKUR Paul

...for the State.

1. The petitioner assails an order of confiscation dated September 27, 2024 passed by the Authorised Officer, Alipurduar, Jalpaiguri & Cooch Behar and the Divisional Forest Officer, Jaldapara Wildlife Division, Cooch Behar.
2. Mr. Bikramaditya Ghosh, learned advocate appearing for the petitioner submits that the order has been passed in derogation of the principles of natural justice. It is submitted that no meaningful opportunity of hearing has been granted to the petitioner and as such he seeks quashing of the order dated September 27, 2024 despite their being a provision of appeal.

3. Learned Additional Advocate General appearing for the State respondents submits that the writ petition should not be entertained inasmuch as there is a statutory remedy of appeal before the appellate authority in terms of the Indian Forest (West Bengal Amendment) Act, 1988.
4. Having heard the learned advocates appearing for the respective parties and having considered the material on record, this Court is of the view that the petitioner has an effective alternative remedy before the appellate authority under the said Act of 1988. The Court has gone through the order impugned and has noted that the petitioner was indeed heard. The petitioner may be dissatisfied with the quality of hearing but it is certainly not in a case of "no hearing" being granted to the writ petitioner.
5. In such view of the matter, this writ petition is disposed of leaving the petitioner free to approach the appropriate appellate authority. Since the petitioner has approached this Court by filing this writ petition, therefore, if the petitioner prefers such appeal within a fortnight from date, the appellate authority shall entertain the appeal on merits and dispose of

the same in accordance with law as expeditiously as possible.

6. With the above observations, WPA 995 of 2025 stands disposed of. There shall, however, be no order as to costs.
7. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)