

August 03, 2021

ARDR

(22)

WPA 102 of 2020
+
IA CAN 1 of 2021
(Application not here)

Bulti Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Jagannath Ganguly,
Mr. Sreekumar Chakraborty,
...for the petitioner.
Mr. Soumitra Bandyopadhyay,
Mr. Aniruddha Sen,
...for the State.

The grievance of the petitioner is directed against refusal of the State respondents to consider the representation of the petitioner for a mining lease for sand submitted by the petitioner.

Mr. Bandyopadhyay appears for the State respondents and submits that in view of the extant provisions of law and more particularly the West Bengal Minor and Minerals Concession Rules, 2016, there is no scope for consideration of the representation of the petitioner.

It is further submitted by Mr. Bandyopadhyay that the allotment of the mining lease for sand quarry is by way of public auction in view of the prevalent notification.

I have considered the submissions of the parties.

In view of the extant provisions of law, Rules and Regulations, I do not find the petitioner has any legal

entitlement in even seeking for a prayer for consideration of his prayer for consideration of his application for mining lease.

Accordingly, the demand of the petitioner cannot be entertained in view of the West Bengal Minor and Minerals Concession Rules, 2016. Such rights can only be granted through public auction and there is no provision for consideration of an application of the petitioner.

In view of the aforesaid, I do not find any merit in this writ petition.

WPA 102 of 2020 and all connected applications are dismissed.

(Ravi Krishan Kapur, J.)