

04.08.2021
rc/ct.no.10
Item No.18

WPA No. 789 of 2020
Shyamali Chatterjee
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. P.K.Hazra	
Mr. S. Hazra	
Mr. Subrata Mukherjee	for the Petitioner
Mr. T.M.Siddique	
Mr. Tapas Ballav Mondal	...for the State

The grievance of the petitioner is for renewal of a mining lease for extraction of sand.

The Advocate appearing on behalf of the petitioner submits that the application made by the petitioner before the respondent authorities for consideration of the same has not yet been considered.

Mr. Siddique, Advocate appearing on behalf of the State-respondents raises the question of maintainability of the writ petition. He submits that in view of West Bengal Minor Minerals Concession Rules, 2016 and the extant provisions of law there is no scope for consideration of the representation of the petitioner. He also submits that allotment of mining lease to extract sand can only be made by way of public auction and thus allotment of mining lease to extract sand by way of consideration of a representation is unknown to law.

I view of the extant Rules and Regulations and the provisions contained in the aforesaid Rules, 2016 I am of the view that this petition is not maintainable. There is no scope for consideration of the representation of the petitioner.

Accordingly, in view of the provisions of the West Bengal Minor Minerals Concession Rules, 2016 and the extant provisions of law WPA No. 789 of 2020 is dismissed as not maintainable.

There shall be, however, no order as to costs.

(Ravi Krishan Kapur,J)