

23.03.2021
(S/L-16)
Ct.-18
(P. Jana)

(Via Video Conference)

W.P.A. 6768 of 2021

Sk. Sabbir Ahmed

-Vs-

The State of West Bengal & Ors.

Mr. Sourabh Guhathakurta,
Mr. Bikash Kumar Roy,
Mr. Syed Nazrul Hossain,
..... For the Petitioner.

Mr. T.M. Siddiqui
Mr. Nilotpall Chatterjee,
..... For the State.

Affidavit of service filed in Court today be kept
with the record.

The respondent no. 6 has been found eligible in
the auction for extraction of sand from Sand Block
MSB-35 on Plot No. 330(p), Mouza- Gopalpur, J.L.
No. 149 in the District of Paschim Medinipur.

The petitioner is praying a direction upon the
Additional District Magistrate & District Land and
Land Reforms Officer, Paschim Medinipur, the
respondent no. 4 herein, for disposal of his
representation dated February 11, 2021 whereby the
petitioner has prayed for cancellation and/or
termination of the lease of the said Sand Block in
favour of the respondent no. 6 on the allegation that
the respondent no. 6 has taken financial aid from him
to get the allotment of the said Sand Block with an
agreement that he would share the profit of the said

business of extraction of sand with the petitioner which offends the rules under the West Bengal Minor and Minerals Rules, 1973.

Mr. T. M. Siddiqui, learned counsel appearing for the State respondents, submits that the said Rules of 1973 has already been repealed and has been replaced by the West Bengal Minor Minerals Concession Rules, 2016.

Mr. Sourabh Guhathakurta, learned counsel appearing for the petitioner, submits that similar provision is also there in the 2016 Rules and seeks liberty to file fresh representation on the basis of the said existing Rules.

WPA 6768 of 2021 is disposed of by permitting the petitioner to give a representation to the Additional District Magistrate and District Land and Land Reforms Officer, Paschim Medinipur, in accordance with the relevant Rules under the West Bengal Minor Minerals Concession Rules, 2016.

It is however made clear that this Court has not gone into the merit of the allegation of the petitioner.

No order as to costs.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)