December 8, 2021
ARDR
(35)

WPA 17452 of 2021

Ronith Enterprise
Vs.
The State of West Bengal & Ors.

Mr. Joy Chakraborty,
Mr. Partha Sarathi Ghosh,
Mr. Sandip Dinda,
...for the petitioner.
Mr. Tapan Kumar Mukherjee, Sr. Adv.,
Mr. Pranab Halder,
Ms. Soheli Mukherjee,
...for the State.

Affidavit of service and the Supplementary Affidavit filed by the petitioner are taken on record.

The instruction filed on behalf of the State respondents is also taken on record.

It is submitted on behalf of the petitioner that the petitioner being the highest bidder in the e-auction for grant of long time mining lease, a deed of lease to that effect was executed in his favour. But the said deed is not being registered by the registering authority on the pretext that it was submitted after inordinate delay. The petitioner submits that the said delay was caused at the behest of the authority and the petitioner had no fault or laches therein. The petitioner submitted a representation seeking registration of the deed before the 3rd respondent on 1st December, 2021, but the said representation is yet to

be disposed of. The petitioner prays for a direction upon the authority to consider and dispose of his representation at the earliest.

It is submitted on behalf of the State that the deed of lease executed in favour of the petitioner shall be registered by the concerned authority at the earliest. The road challans have not been issued due to pandemic as well as unfavourable road conditions. Such challans shall be issued as soon as the road conditions improve and the situation is under control.

Upon considering the submissions made on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the 3rd respondent to consider and dispose of the representation filed by the petitioner on 1st December, 2021 within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

With such observations and directions, WPA 17452 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit has been invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of all necessary formalities.

(Suvra Ghosh, J.)