

20.07.2021
rc/ct.no.10
Item No.15

WPA No. 23879 of 2019
Munsi Md. Yousuf
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Ram Uday Bhattacharjeefor the petitioner

Md. T.M.Siddique

Ms. Nilofer Alam Siddiqui ...for the State

The grievance of the petitioner is directed against the non-consideration his application for excavation of sand filed by the petitioner before the respondent authorities.

Mr. Siddique, Advocate appearing on behalf of the State, submits that in view of extant laws and more particularly, the West Bengal Mining and Minerals Concession Rules, 2016 there is no scope in law for consideration of the application of the petitioner.

In fact, in order to avail of the permission to excavate the sand the petitioner has to avail the procedure as contemplated under the West Bengal Mining and Minerals Concession Rules, 2016 and the petitioner has to participate in such auction process in accordance with law.

I have heard the parties. I am of the view that in view of the embargo contained in the the West Bengal Mining and Minerals Concession Rules, 2016 there is no scope to even send a representation for consideration to any

authority. In fact, sending a representation for consideration to the State-respondents is contrary to The West Bengal Mining and Minerals Concession Act and Rules, 2016. Hence, I find no merit in this writ petition.

Accordingly, WPA No. 23879 of 2019 is dismissed.

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

(Ravi Krishan Kapur,J)