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21.02.2022
Ct. No.10
b.das

W.P.A. 2267 of 2022

(Via Video Conference)

Sisir Kumar Ghosh
Vs.
State of W. B. & Ors.

Mr. Ashis Kr. Paul ...for the petitioner.

Mr. Chandi Charan De
Ms. R. Rahaman
...for the State.

Affidavit of service filed on behalf of the petitioner is kept with the record.

Heard learned counsels for the parties.

Learned counsel for the petitioner places reliance on an order of a co-ordinate Bench of this Court passed on 17th November, 2014 in WP 29861 (W) of 2014 directing the Additional District Magistrate and District Land and Land Reforms Officer, Birbhum to reconsider the case of the petitioner in terms of the old Rules of 2002 (West Bengal Minor Minerals Rules).

Learned counsel for the petitioner submits that as no time frame was provided by the Court for consideration of the same, the matter has not been considered by the concerned authority till date.

The petitioner submitted a representation in this regard before the concerned authority on 3rd December, 2021 pursuant to which a letter was issued by the District Magistrate, Birbhum to the Additional District Magistrate (LR) and District Land & Land Reforms Officer, Birbhum on 14th December, 2021 requesting the latter to consider the matter. The petitioner complains that no further communication has been made to the petitioner in this regard by the authority.

Learned counsel for the State respondents submits that the 3rd respondent may be directed to consider the representation within a stipulated period of time.

Having considered the submissions made on behalf of the parties and in view of the order of the co-ordinate Bench passed earlier, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 3rd December, 2021 in terms of the order of this Court passed on 17th November, 2014, 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.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

With the above observations and directions this writ petition being WPA 2267 of 2022 is disposed of.

However, there shall be no order as to costs.

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

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

(Suvra Ghosh, J.)