

20.04.2022
rc/ct.no.10
Item No.67

WPA No. 2713 of 2022
Mintu Roy
Vs.
The State of West Bengal & Ors.

Mr. Ramkrishna Bhattacharjee
Mr. Kaushik Chaudhury
Mr. Busra Khatoon ...for the Petitioner

Mr. Sanjay Saha
Mr. Subhasish Bhattacharjee
...for the Respondent Nos.4&5

Mr. Chandi Charan De
Mr. Chandana Ghosh ...for the State

Affidavit of service filed in Court today be taken on record.

The petitioner prays for a direction upon the 3rd respondent for consideration of his representation submitted before the authority on January 24, 2022.

The petitioner was granted long term mining lease on being highest bidder in e-auction which expired on December 26, 2021. The petitioner was unable to continue the mining work due to Covid-19 Pandemic for considerable period of time and has prayed for extension of the period of lease on that ground. The petitioner submitted a representation in this regard before the concerned authority on January 24, 2022 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that in terms of the Notification dated February 28, 2022 all mining leases have been extended upto May 31, 2022.

Be that as it may, as the representation submitted by the petitioner is pending before the authority, the concerned authority may be directed to consider the same within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated January 24, 2022 within one month from the date of communication of this order, after affording reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

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

With the above observations and directions this writ petition being WPA No. 2713 of 2022 is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)