

**173**  
**28.03.2022**  
Ct. No.10  
b.das

**WPA 4046 of 2022**

Tapas Porel  
Vs.  
The State of W.B. & Ors.

Mr. Krishnendu Bera

...for the petitioner.

Mr. Chandi Charan De

Mr. Somnath Mukhopadhyay

...for the State.

It is contended on behalf of the petitioner that the petitioner was granted long-term mining lease by virtue of deed of lease executed in compliance with an order of this Court and Environment Clearance Certificate was issued to the petitioner on 24<sup>th</sup> July, 2017. Clause 2 of the Environment Clearance Certificate demonstrates that the mining activity shall be done manually.

The petitioner submits that due to huge volume of sand to be excavated from the plot in question, it is expensive and time consuming to continue with the mining activity manually, for which the petitioner filed an application before the concerned authority on 18<sup>th</sup> February 2022 for permission to use semi-mechanical measures for the purpose. The said application is yet to be disposed of.

The petitioner prays for a direction upon the authority to consider the application at the earliest.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 4<sup>th</sup> respondent to consider and dispose of the application submitted by the petitioner dated 18<sup>th</sup> February, 2022 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 4046 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.)**