

WPA 6884 of 2022

Gurusaran Gandhi
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kr. Samanta,
Mr. Biswapriya Samanta,
...for the petitioner.
Mr. Sanjay Saha,
...for the WBMDTCL.
Mr. Ansar Mondal,
Ms. Srilekha Bhattacharya,
...for the State.

Affidavit of service filed by the petitioner is taken on record.

It is contended on behalf of the petitioner that being the highest bidder in e-auction for extraction of sand from the riverbed of Damodar, the petitioner was granted Letter of Intent and upon payment of entire requisite amount, the deed of lease was executed in favour of the petitioner. The petitioner submits that due to objection raised by the local tribal people who claimed that the concerned sand block was used by them for religious purpose, the petitioner could not commence mining operation since execution of the deed. The petitioner submitted a representation before the concerned authority for allotting an alternative sand block in his favour in order to enable him to carry on mining operation.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 11th October, 2018 within one month from the date of communication of this order after affording 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 thereof.

It is made clear that this Court has not gone into the merit of the case and the petitioner shall be at liberty to place his contention before the concerned authority at the time of hearing.

With the aforesaid directions, WPA 6884 of 2022 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)