

13.09.2022
rc/ct.no.10
Item No.35

WPA No. 8326 of 2022

Mr. Moniruzzaman ...for the Petitioner

Mr. Chandi Charan De
Mr. Soumitra Bandyopadhyay
Mr. Anirban Sarkar ...for the State

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

Heard learned counsels appearing on behalf of the parties.

Pursuant to an order passed by this Court on December 01, 2021 in WPA No. 16517 of 2021, hearing was held by the Member Secretary, State Environment Impact Assessment Authority (in short, "SEIAA") on 27.12.2021 and upon hearing the petitioner, it was observed by the Member Secretary, SEIAA that the petitioner/applicant needs to apply to the SEIAA in the Parivesh Portal along with essential documents including approved mining plan, valid letter of intent, approved DSR of the district, pre-feasibility report and signed cover letter. The petitioner submitted application before the concerned authority on 10.02.2022 for issuance of the essential documents in his favour which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the said representation at the earliest.

It is submitted by the learned counsel appearing on behalf of the State-respondents that the 5th respondent be directed to consider the representation submitted by the petitioner in accordance with law.

In view of the above, the writ petition is disposed of directing the respondent no. 5 to consider and dispose of the representation filed by the petitioner on 10.02.2022 within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to 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. 8326 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)