

12
30.06.2022
Ct. No.10
b.das

WPA 11971 of 2022

Miraj Sk.
Vs.
The State of W.B. & Ors.

Mr. Joy Chakraborty
Mr. P. S. Ghosh
Mr. Dip Jyoti Chakraborty ...for the petitioner.

Mr. Sanjay Saha ...for the respondent No.2.

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

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

Heard learned counsels for the parties.

The petitioner was granted long-term mining lease by the concerned authority vide lease deed dated 14th April, 2006, which was renewed from time to time, the last renewal being in 2017. The lease is due to expire on 31st July, 2022.

It is contended on behalf of the petitioner that while considering the renewal application of the petitioner filed in 2012, the District Magistrate, Birbhum by an order dated 3rd August, 2012, allowed such renewal with an observation that the applied area for renewal of mining lease was under the ownership of the petitioner and there

was no outstanding due of the petitioner in respect of the existing mining lease.

The petitioner has submitted a representation before the concerned authority for further renewal of the mining lease on 4th March, 2022, which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation submitted by the petitioner 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 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 4th March, 2022, within one month from the date of communication of this order after giving reasonable opportunity of hearing to all the stake holders 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, the writ petition being WPA 11971 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.)