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jdt.

31.10.2022
jb.

W.P.A. 15750 of 2022
(Pradip Arora vs. State of West Bengal & Ors.)

Mr. Somnath Roychowdhury
.... For the Petitioner

Mr. Ansar Mondal
Mr. Sougata Mitra
.... For the State

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

Being the highest bidder in auction floated by the respondents for grant of long term mining lease, two separate deeds of lease were executed in favour of the petitioner on April 5, 2018 for a period of five years. Upon obtaining possession of the plots in question, it was found that there was no adequate mining reserve in the plots for which the petitioner approached the authority by several representations requesting grant of alternative plots for mining operation, the last representation being submitted on 7th July, 2022. The representation is yet to be considered by the authorities. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the petitioner submits that under similar circumstances, plots have been substituted by the concerned authority in favour of other lessees, but the authority has remained silent in respect of the representations submitted by the petitioner.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider the representation submitted by the petitioner in accordance with law.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 7th July, 2022 within one month from the date of communication of this order upon 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 thereof.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)