

23
05.01.2022
Ct. No.10
b.das

W.P.A. 18014 of 2021

(Via Video Conference)

Gautam Pal
Vs.
State of W.B. & Ors.

Mr. Piush Chaturvedi
Mr. Mir Anowar ...for the petitioner.

Mr. T. M. Siddiqui ...for the State.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner was granted long-term mining lease by virtue of a deed executed and registered on 17th February, 2017 which is due to expire on or before 17th February, 2022. Due to the Covid 19 pandemic and the lock down announced by the Government, the petitioner was unable to carry on mining operation for a substantial period of time, for which he has prayed for extension of the deed for a further period.

The petitioner refers to a Memorandum dated 13th May, 2020 issued by the Deputy Secretary to the Government of India to the Secretaries of Central Government Ministries/Departments, which demonstrates that in view of the restrictions placed on movement of goods, service and manpower on account of lock down, the

dates for completion of contractual obligation which had to be completed on or after 20th February, 2020 shall stand extended for a period not less than three months and not more than six months.

The petitioner submitted a representation before the concerned authority on 9th August, 2021 in this regard. The said representation is yet to be disposed of. The petitioner prays for direction upon the concerned authority to consider the representation 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 respondent No.3 to consider and dispose of the said representation filed by the petitioner dated 9th August, 2021, taking into consideration the office Memorandum dated 13th May, 2020 as referred to earlier, within a period of 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.

With the above observations and directions this writ petition being WPA 18014 of 2021 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.)