

WPA 20933 of 2021

Nirupam Roy
Vs.
The State of West Bengal & Ors.

Mir Anowar,

...for the petitioner.

Mr. Sanjay Saha,

...for the WBMDTCL.

Md. T. M. Siddiqui,

Mr. Nilotpall Chatterjee,

...for the State.

Supplementary affidavit filed by the petitioner is taken on record.

Being the highest bidder in an e-auction floated on 24th October, 2017 for grant of mining lease of sand, the petitioner was granted Letter of Intent upon payment of one-third of the bid amount. The Environment Clearance Certificate, as required by the authority, was also issued to the petitioner on 5th December, 2018. In the supplementary affidavit filed by the petitioner, the petitioner has submitted that in response to a letter issued by the concerned authority on 12th May, 2022, the petitioner has submitted the bank guarantee on 23rd June 2022. Upon complying with all the required formalities, the petitioner submitted a representation before the authority on 26th June, 2022 requesting execution of the deed of lease. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 26th June, 2022 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 authority at the time of hearing.

With the above directions, WPA 20933 of 2021 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)