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21.11.2022
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W.P.A. 21658 of 2022
(Gangadhar Mondal vs. The Additional District Magistrate and District Land and Land Reforms Officer & Ors.)

Mr. Murari Mohan Das
Sk. Musiar Rahaman
.... For the Petitioner
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Being the highest bidder in an e-auction floated by the respondents and upon depositing 1/3rd of the bid amount, deed of lease was executed in favour of the petitioner on 19th April, 2017 for a period of five years which expired on 18th April, 2022. Due to Covid 19 pandemic as well as the intervening rainy season the petitioner was unable to carry on mining operation for considerable period of time and has filed a representation before the concerned authority seeking extension of the deed of lease on 23rd August, 2022. The said representation not being considered till date, the petitioner prays for direction upon the authority to consider the representation within a stipulated time frame.

It is submitted on behalf of the respondents that the first respondent be directed to consider the representation submitted by the petitioner dated 23rd August, 2022, in accordance with law.

In view of the above, the writ petition is disposed of directing the 1st respondent to consider and dispose of the representation submitted by the petitioner dated 23rd August, 2022 within one month from the date of communication of this order upon giving reasonable opportunity of hearing to all the interested persons 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.)