

November 28, 2022
ARDR
(70)

WPA 22837 of 2022
+
CAN 1 of 2022

Abanti Ghosh
Vs.
The State of West Bengal & ors.

Adv. Mir Anowar,	...for the petitioner.
Adv. Sanjay Saha,	
Adv. Subhasish Bhattacharyya,	...for the WBMDTCL.
Adv. Md. T.M. Siddiqui,	
Adv. Nilotpal Chatterjee,	
Adv. Piyali Sengupta,	...for the State.

It is submitted on behalf of the parties that the notice inviting e-auction floated on 18th October, 2022 has been postponed by the concerned authority.

The petitioner prays for a direction upon the authority to consider his representation submitted on 22nd September, 2022.

The petitioner was charged with extraction of surplus sand in violation of the terms of the deed of lease executed in his favour and a criminal case was filed against the petitioner wherein the petitioner has obtained bail. The petitioner submitted a representation before the concerned authority on 22nd September, 2022 requesting issuance of road challan in his favour and undertaking to pay fine for the excess stock stored by him, 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 22nd September, 2022 within a 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.

With the aforesaid directions, WPA 22837 of 2022 is disposed of. There shall however, be no order as to costs.

The application being CAN 1 of 2022 is also disposed of.

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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)