

WPA 23015 of 2022

Chandan Chandra
Vs.
The State of W.B. & Ors.

Mr. Shuvanil Chakraborty ...for the petitioner.

Mr. Ansar Mandal
Ms. Srilekha Bhattacharya ...for the State.

Mr. Sanjay Saha ...for the WBMDTCL.

Affidavit of service filed on behalf of the petitioner is taken on record.

The petitioner was granted long-term mining lease in respect of the plot in question for a period of five years by virtue of a deed of lease registered on 28th June, 2018. Due to advent of Covid-19 pandemic and lock down declared by the Government throughout the country, the petitioner was unable to carry on mining operation from 25th March, 2020 to 31st June, 2021.

After the lock down was lifted, the District Magistrate and Collector, Paschim Bardhaman issued a letter in favour of the petitioner restricting him from continuing with mining operation pursuant to an order passed by the National Green Tribunal on 30th June, 2021 in O.A. No.80/2020/EZ.

Lifting of the said ban was communicated to the petitioner in June 2022.

The petitioner submitted a representation on 17th September, 2022 before the concerned authority praying for excluding the period from March, 2020 to June 2022 and necessary extension of the lease period, which has not been considered as yet. The petitioner prays for a direction upon the concerned 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 5th respondent to consider and dispose of the representation submitted by the petitioner dated 17th September, 2022 within a period of one month from the date of communication of this order, after 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.

With the above observations and directions this writ petition being WPA 23015 of 2022 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.)