

120
21.09.2022
Ct. No.10
b.das

WPA 21661 of 2019

Mamoni Acharya
Vs.
The State of W. B. & Ors.

Mr. Sreekumar Chakraborty ...for the petitioner.

Mr. A. Ray, Ld. G.P.
Md. T. M. Siddiqui
Mr. N. Chatterjee ...for the State.

Heard learned counsels for the parties.

The petitioner is aggrieved by non-consideration of her application for grant of mining lease by the authority.

The petitioner submitted an application in this regard before the concerned authority on 16th April, 2014 and complains that the said application has not been considered till date. The petitioner prays for direction upon the authority to consider the application at the earliest.

It is submitted on behalf of the State respondents that in view of the West Bengal Minor Minerals Concession Rules, 2016, the petitioner is at liberty to participate in the e-auction, which may be floated by the authority in due course.

Be that as it may, this Court is of the view that the concerned authority should be directed to consider the

application filed by the petitioner, which is pending since 2014, in accordance with law.

Accordingly, the writ petition is disposed of directing the 3rd and 4th respondents to consider and dispose of the application submitted by the petitioner dated 16th April, 2014 within six weeks 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 thereafter.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place her contentions before the appropriate authority at the time of hearing.

With the above observations and directions, the writ petition being WPA 21661 of 2019 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.)