

WPA 23533 of 2022

Shri Mataji Builders
Vs.
The State of West Bengal & Ors.

Adv. Mir Anowar,
Adv. Chandi Charan De,
Adv. Anirban Sarkar,
...for the petitioner.
...for the State.

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

The notice of e-auction floated by the respondents for excess/unauthorised stocks of sand on 18th October, 2022 is under challenge in the writ petition.

It is submitted on behalf of the petitioner that there is no provision for auction of excess or unauthorised stock of sand under the law. Also, out of the entire schedule of excess sand proposed for auction, a portion thereof is owned by the petitioner.

Such contention of the petitioner is denied and disputed by the respondents.

The petitioner has submitted a representation in this regard before the concerned authority on 5th September, 2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the same 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 5th September, 2022 within two weeks from the date of communication of this order upon granting 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.

Pending disposal of the representation, the notice of e-auction dated 18th October, 2022 be stayed.

With the aforesaid directions, WPA 23533 of 2022 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)