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jdt.

29.11.2022
jb.

W.P.A. 24323 of 2022
(Ma Sarada Enterprise vs. State of West Bengal & Ors.)

Mr. Sabyasachi Chatterjee
Mr. Debabrata Mondal
.... For the Petitioner
Mr. Nilotpall Chatterjee
.... For the State

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

The petitioner has assailed the notice of e-auction floated by the respondents on 28th October, 2022.

Learned counsel for the petitioner submits that there is no provision for auction of excess or unauthorised stock of sand under the law.

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

The petitioner has submitted representations ventilating its grievance before the concerned authority on 2nd November, 2022 and 3rd November, 2022 respectively which are yet to be considered.

The petitioner prays for a direction upon the authority to consider the representations at the earliest and an order of stay of the notice of e-auction.

It is submitted on behalf of the respondents that the third respondent be directed to consider the representations submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the third respondent to consider and dispose of the representations submitted by the petitioner dated 2nd November, 2022 and 3rd November, 2022 respectively 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.

Pending disposal of the representations, the notice of e-auction issued on 28th October, 2022 be stayed.

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.)