

08
21.12.2022
Ct. No.10
b.das

WPA 26966 of 2022

Molay Samanta
Vs.
The State of W. B. & Ors.

Mr. P. K. Bhattacharya ...for the petitioner.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee ...for the State.

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

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that he was granted long-term mining lease vide registered deed dated 29th December, 2017 and was handed over physical possession of the plot with effect from the said date.

The petitioner was unable to continue mining operation due to several factors including resistance offered by the local people and police authorities and also the covid-19 pandemic.

The petitioner submitted a representation before the concerned authority for further extension of the period of lease on 25th October, 2021 pursuant to which notice of hearing was issued by the authority to the petitioner. No further step has been taken by the authority till date.

Upon consideration of the submission made on behalf of the parties and material on record, this Court is

inclined to hold that since notice of hearing was issued by the Additional District Magistrate and District Land and Land Reforms Officer, Purba Bardhaman on 10th December, 2021 pursuant to the representation submitted by the petitioner on 25th October, 2021, the authority be directed to consider the representation within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 25th October, 2021 within one month from the date of communication of this order upon 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 thereof.

With the above directions the writ petition being WPA 26966 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.)