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jdt.

28.04.2022  
jb.

**W.P.A. 30354 of 2015**  
(Soid Amir Ali @ Saiyed Amir Ali vs. State of West Bengal & Ors.)

**Sk. Humayun Reja**  
**Sk. Morshed Ali**  
**.... For the Petitioner**

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

None appears for the State respondents despite service.

Mr. Chandi Charan De who usually appears for the State and is present in Court today is requested to represent the State in this matter. His appointment be regularised by the office of the learned Legal Remembrancer. The petitioner should serve copy of the writ petition along with annexure thereto to Mr. De in course of this day.

It is contended on behalf of the petitioner that the petitioner was granted mining lease in respect of plot No. 541(P) measuring 9 acres in Mouza Pantarai , J.L. No. 42, P.S. Indus, District Bankura on 9<sup>th</sup> June, 2009 for a period of five years vide deed of lease registered on 11<sup>th</sup> September, 2009. The road for transportation of sand was washed away due to flood in the area for

which the petitioner filed an application before the District Land and Land Reforms Officer, Bankura on 5<sup>th</sup> March, 2010 for diversion of the approach road. The petitioner was directed to submit no objection certificate from the other lessees and pursuant to a writ petition filed by the petitioner before this Court for disposal of his application dated 5<sup>th</sup> March, 2010 by the concerned Authority, the concerned Authority initiated proceeding being Miscellaneous Proceeding No. 17 of 2012 on 9<sup>th</sup> October, 2012 and upon considering the report submitted by the Block Land and Land Reforms Officer, rejected the prayer of the petitioner. Subsequently, the petitioner applied for renewal of mining lease before the concerned Authority on 22<sup>nd</sup> December, 2014 which is yet to be disposed of. The petitioner prays for direction upon the Authority to consider the application at the earliest.

Upon considering the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 4<sup>th</sup> respondent to consider and dispose of the application filed by the petitioner dated 22<sup>nd</sup> December, 2014 within one month 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 thereof.

With the above observations and directions, W.P.A. 30354 of 2015 is 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.)**