

OD-2

ORDER SHEET

WPO/2302/2022

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KUMAR CHANDAN
VERSUS
STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : June 29, 2022.

Appearance:

Mr. Sakya Sen, Adv.

Mr. Sunil Kr. Gupta, Adv.

Mr. Arindam Paul, Adv.

Mr. Amitesh Banerjee, Sr. Adv.

Ms. Ipsita Banerjee, Adv.

The Court: The documents on record, particularly, the certificate from the Government of Nagaland show the credentials of the petitioner in transporting coal from Nagaland to Bihar through West Bengal. This document is, however, of June, 2022.

There are also other documents on record from the Government of Nagaland, Directorate of Geology and Mining at page 48 of the writ petition, which also points out to the petitioner being authorised as a carrier. This document, however, had a limited life and has expired in June, 2022 itself. The fact that the petitioner obtained all documentation for transporting of coal through West Bengal is already on record. However, since a valid point has been raised on behalf of the State of a large number

of entities carrying illegally mined coal from North East India, WPO/2302/2022 may be disposed of by directing the petitioner to furnish a document in the same nature as the document issued by the Directorate of Geology and Mining, Nagaland with current validity and furnish the same before the concerned State respondents within a period of two weeks from date. The State respondents shall thereafter check the validity of the document and permit the petitioner to transport coal through West Bengal, if the petitioner is found eligible.

(MOUSHUMI BHATTACHARYA, J.)