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jdt.

09.01.2023
jb.

W.P.A. 36 of 2023
(Hemanta Kr. Ghosh vs. State of West Bengal & Ors.)

Mr. Pinaki Chakraborty
Mr. Pallav Chatterjee
.... For the Petitioner
Mr. Lalit Mohan Mahato
Mr. Supratim Dhar
.... For the State
Mr. Sanjay Saha
Mr. Subhasish Bhattacharyya
.... For the WBMDTC

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

Heard learned counsels for the parties.

Pursuant to an order passed by this Court on 18th July, 2022 in W.P.A. 11588 of 2022, notice of hearing was issued to the petitioner by the Additional District Magistrate and District Land and Land Reforms Officer, Bankura being the 4th respondent herein. Though the petitioner and the State authorities attended the said hearing, no further order was communicated to the petitioner. It is submitted on behalf of the petitioner that penalty for the excess storage of sand has already been deposited by the petitioner before the concerned authority.

It is submitted on behalf of the West Bengal Mineral Development and Trading Corporation Limited, being the 2nd respondent herein that the matter has been relegated to the 4th respondent in order to ascertain whether such penalty has been deposited by

the petitioner in respect of the sand stacked in the plot in question.

Learned counsel for the 4th respondents submits that after ascertaining the same, the representation shall be disposed of, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation pending before him upon consideration of all the relevant facts and after affording reasonable opportunity of hearing to the petitioner, if necessary, within one month from the date of communication of this order, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner and the 2nd respondent within a week thereof.

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.)