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jdt.

10.02.2023
jb.

W.P.A. 293 of 2023
(Rahim Mallick vs. State of West Bengal & Ors.)

Mr. Joy Chkraborty
Mr. Partha Sarathi Ghosh
Mr. Sandip Dinda
Ms. Ipsita Ghosh
.... For the Petitioner

Mr. Chandi Charan De
Ms. Reshmi Rahman
Mr. Anirban Sarkar
.... For the State

Mr. Sanjay Saha
Mr. Subhasish Bhattacharya
.... For the WBMDTC Ltd.

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

It is contended on behalf of the petitioner that the petitioner was granted long term mining lease vide deed of lease dated 9th January, 2018. The petitioner was unable to carry on mining operation due to COVID-19 pandemic and nationwide lockdown declared by the Government. The petitioner submitted a representation in this regard before the concerned authority on 16th November, 2022 praying for extension of the period of lease which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition being WPA 293 of 2023 is disposed of directing the 4th respondent to consider and dispose of the representation dated 16th November, 2022 within one month from the date of communication of this order upon affording 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.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)