

July 12, 2023
(9) ARDR

WPA 507 of 2023

Rajkishor Mahapatra
Vs.
The State of West Bengal & ors.

Adv. Sanat Kumar Roy,
Adv. Abhishek Banerjee,
...for the petitioner.
Adv. Soumitra Bandyopadhyay,
Adv. Priyabrata Batabyal,
...for the State.

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

Heard learned counsels for the parties.

The petitioner participated in an e-auction for grant of long term mining lease floated by the respondent authorities and was declared as the highest bidder therein. Despite depositing the requisite amount before the authority, Letter of Intent was not issued in favour of the petitioner. Subsequently the authorities floated another e-auction for a higher bid which was cancelled due to non-availability of bidders. It is submitted on behalf of the petitioner that the petitioner is agreeable to pay the higher bid money which is ten per cent more than the earlier bid and is interested to get the sand mining block for mining operation. The petitioner submitted a representation in this regard before the concerned authority on 5th April, 2022 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 is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 5th April, 2022 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders 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 aforesaid directions, WPA 507 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)