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jdt.

17.05.2023
jb.

W.P.A. 1839 of 2023

Rainbow Infrastructure and Housing Development Limited
vs.
State of West Bengal & Ors.

Mr. Aniruddha Chatterjee
Mr. Saptarshi Kr. Mal
Rishabh Ahmed Khan
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
.... For the State

Mr. Sanjay Saha
Mr. Subhasis Bhattacharyya
.... For the WBMDTC Ltd.

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

The petitioner was granted long term mining lease for a period of five years vide deed of lease dated December 15, 2017 with effect from January 22, 2018 which expired on January 21, 2023. The petitioner submitted a representation before the concerned authority on 4th January, 2023 requesting extension of the lease and allowing it to continue with the sand mining operation 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 4th January, 2023 within six weeks 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 petitioner is at liberty to produce relevant documents in support of its claim before the concerned authority at the time of hearing.

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

Pending disposal of the representation let there be an order of *status quo* upon both the parties in respect of the possession of the plot in question as on this date.

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.)