

WPA 4446 of 2023

Sk. Nasiruddin

Vs.

The State of West Bengal & Ors.

Mr. Jayanta Samanta

Ms. K. Samanta

...for the petitioner.

Mr. Soumitra Bandyopadhyay

Mr. P. Batabyal

...for the State.

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

Heard learned counsels for the parties.

The petitioner's grievance is that the order passed by a co-ordinate Bench of this Court on 6th August, 2014 in WP 8465 (W) of 2014 has not been complied with by the concerned authority. The order dated 6th August, 2014 is set out :

“Let affidavit of service filed in Court today be kept on record.

Application for long-term mining lease made by the petitioner be considered by the concerned authority under the old Rule by six weeks from the date of communication of this order upon giving an opportunity of hearing to the petitioner or his authorised representative and to pass a reasoned order and to communicate the same to the petitioner by two weeks from the date of passing such order.

The writ petition is, thus, disposed of. There would be no order as to costs.”

Learned counsel submits that pursuant to the said order, notice of hearing was issued by the authority upon

the petitioner on 19th November, 2014. Hearing was held on 2nd December, 2014. No further communication has been made to the petitioner till date.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since hearing was held in compliance with the order dated 6th August, 2014 passed by this Court, the concerned authority may be directed to communicate a copy of the decision arrived at by the authority, at the earliest.

The writ petition is accordingly disposed of directing the 4th respondent to communicate a copy of the order passed by him upon hearing the petitioner on 2nd December, 2014, within a period of two weeks from the date of communication of this order, in accordance with law.

However, there shall be no order as to costs.

Since no affidavit 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)