

5
jdt.

03.01.2023
jb.

W.P.A. 6197 of 2022
(Prasanta Pal vs. State of West Bengal & Ors.)

Mr. Samiran Mandal
Mr. Abhinaba Dan
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that being the successful bidder in an e-auction floated by the respondent authority, the petitioner was granted mining lease for excavation of sand for a period of 8 years vide deed of lease executed on 5th October, 2016. The petitioner was unable to continue with mining operation due to the Covid 19 pandemic and has submitted a representation before the concerned authority for extension of the lease on 19th August, 2021. The concerned authority has issued notices upon the petitioner requesting him to deposit the dues within a specified time period. The petitioner prays for a direction upon the concerned authority to consider his representation within a stipulated time frame.

It is submitted on behalf of the State 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 the representation submitted by the petitioner dated 19th August, 2021 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.

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.)