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jdt.

30.08.2023
jb.

W.P.A. 8415 of 2022
(Subhas Mondal vs. State of West Bengal & Ors.)

Mr. Kamal Krishna Chakraborti
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batanyal
.... For the State

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

On prayer of the petitioner liberty is granted to correct the cause title of the writ petition wherein the Assistant District Magistrate and District Land and Land Reforms Officer be read as Additional District Magistrate and District Land and Land Reforms Officer.

It is contended on behalf of the petitioner that the petitioner was granted long term mining lease in respect of the plot in question for a period of two years vide deed of lease dated 20th February, 2015 and possession of the leasehold area was made over to him on 14th May, 2014. Respondents Authorities suddenly stopped issuance of challans before 9 months of expiry of lease without assigning any reason therefor or giving an opportunity of hearing to the petitioner. The petitioner approached the authority on several occasions seeking issuance of challans for the remaining 9 months of the

lease period, but to no effect. The petitioner seeks to submit a comprehensive representation before the concerned authority in this regard and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the lease has expired in the year 2017 and though issuance of challans was allegedly suspended in 2016, no step has been taken by the petitioner for resumption of such issuance till 2021 when the petitioner chose to submit the representation before the authority. Learned counsel submits that the representation submitted by the petitioner be directed to be dealt with by the 4th respondent in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 4th respondent within four weeks from date. The 4th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof 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.

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.)