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jdt.

03.01.2023
jb.

W.P.A. 9495 of 2022
(Nepal Bauri vs. State of West Bengal & Ors.)

Mr. Pinaki Chakraborti
Mr. Pallav Chatterjee
Mr. Raju Mondal
.... For the Petitioner

Mr. Sanjay Saha
Mr. Subhasish Bhattacharyya
.... For the WBMDTC

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

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter. His appointment be regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexure thereto to Mr. De in course of this day.

It is contended on behalf of the petitioner that the petitioner was granted mining lease for a period of 5 years vide deed of lease registered on 10th April, 2018 and physical possession of the block in question was handed over to the petitioner only on 12th December, 2019. The petitioner was unable to carry on mining operation due to delay in delivery of possession of the

block to the petitioner and submitted a representation before the concerned authority on 25th April, 2022 praying for extension of the lease period. The said representation is still pending before the authority. The petitioner has prayed for a direction upon the authority to consider the same 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 25th April, 2022 within one month from the date of communication of this order after 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.)