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jdt.

03.01.2023
jb.

W.P.A. 9499 of 2022
(Probhat 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

Mr. Priyabrata Batabyal
.... For the State

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

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 29th March, 2019 and physical possession of the block in question was handed over to the petitioner only on 20th April, 2021. 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 28th 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 28th 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.)