

19.06.2023
rc/ct.no.10
Item No.26

WPA No. 11729 of 2023
Tanmoy Kumar Ray
Versus
The State of West Bengal & Ors.

Mr. Samiran Mandal
Mr. Abhinaba Dan ...for the petitioner

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

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

Being the highest bidder in the e-auction floated by the respondents for grant of long term mining lease and upon depositing the entire bid amount, the petitioner was granted long term mining lease for a period of 5 years vide a deed of lease executed on August 21, 2017 with effect from August 11, 2017. The petitioner was unable to continue with mining operation due to the covid-19 pandemic and submitted several representations on April 20, 2022, April 22, 2022 and May 30, 2022 respectively before the concerned authority for extension of the period of lease.

Learned counsel for the petitioner submits that the said representations are yet to be considered. Learned counsel prays for a direction upon the concerned authority to consider the representations at the earliest.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider and dispose of the representations dated April 20, 2022, April 22, 2022 and May 30, 2022 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 representations submitted by the petitioner dated April 20, 2022, April 22, 2022 and May 30, 2022 respectively within a period of one month from the date of communication of this order after giving 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.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)