

June 26, 2023
(23) ARDR

WPA 12728 of 2023

Krishnamohan Chatterjee & anr.
Vs.
The State of West Bengal & ors.

Adv. Sreekumar Chakraborty,
...for the petitioners.
Adv. Chandi Charan De,
Adv. Anirban Sarkar,
...for the State.

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

The grievance of the petitioners is that the applications made by them before the concerned authority for grant of lease and quarry permit were not considered. In an order passed on 20th June, 2012 in WP No. 10738 (W) of 2012, a coordinate Bench of this Court directed the District Magistrate to consider the application of the petitioners for grant of quarry permit along with other applications which may be received pursuant to notice to be issued under Rule 4A of the West Bengal Minor Minerals Rules, 2002.

Learned counsel for the petitioners submits that despite such order, the applications submitted by the petitioners were not considered by the authority. The petitioners seek to submit a comprehensive representation in this regard before the concerned authority ventilating their grievance and pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 3rd respondent within two weeks from date. The 3rd respondent is directed to consider and dispose of the representation within six weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all the stakeholders including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

With the aforesaid directions, WPA 12728 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)