

461
30.11.2023
Ct. No.10
b.das

WPA 16652 of 2023

Dibyendu Samanta
Vs.
The State of W.B. & Ors.

Mr. Robiul Islam
Sk. Jayed Hossain
Mr. M. Rahman ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Srinath Singha Roy ...for the State.

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

None appears for the 3rd respondent despite service.

Heard learned counsels for the parties.

Being the highest bidder in the e-auction floated by the respondent authorities, the petitioner was granted long term mining lease vide deed of lease executed and registered on 19th April, 2017 and possession was handed over to the petitioner on 26th April, 2017. The lease expired on 25th April, 2022.

The petitioner was unable to continue with mining operation for about 20 months during the lease period due to the covid 19 pandemic.

The petitioner seeks to submit a comprehensive representation before the concerned authority seeking extension of the period of lease for the said period and prays for direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 5th respondent be directed to deal with the representation, 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 before the 5th respondent within two weeks from date. The 5th respondent is directed to consider and dispose of the representation within a period of four weeks from the date of receipt thereof after granting 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.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)