

07
06.06.2023
Ct. No.10
b.das

WPA 20427 of 2022

Lokesh Kakkar
Vs.
The State of W.B. & Ors.

Mr. Abhratosh Majuimdar, Sr. Adv.
Mr. Kallol Mondal
Mr. K. Ray
Mr. S. Das
Mr. K. Roy
Mr. a. Banerjee ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner was granted long-term mining lease in respect of his raiyati land situated at Mouza-Duber Danga, J. L. No.5, Plot Nos.2691 and 3366 measuring about 28.5 acres. for mining black stone in the year 2009.

On prayer of the petitioner, the lease was renewed and a new lease was granted in favour of the petitioner on 25th January, 2017 with an option for renewal. Possession of the land was handed over to the petitioner for mining on 14th March, 2017. Since the lease has expired, the petitioner seeks a direction upon the authority to renew the lease in his favour in terms of the notification issued by the Government of West Bengal, Department of Industries,

Commerce and Enterprises, Mining Branch on November 23, 2022.

The petitioner seeks to submit a comprehensive representation before the concerned authority in this regard and prays for direction upon the authority to consider the representation within a stipulated time frame.

It is submitted on behalf of the State respondents that the prayer of the petitioner may be considered by the 5th respondent, 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 for renewal of the lease in his favour before the 5th respondent within seven days from date. The 5th respondent is directed to consider and dispose of the representation within a period of six weeks from the date of receipt thereof in the light of the notification issued by the Government of West Bengal, Department of Industries, Commerce and Enterprises, Mining Branch on November 23, 2022 after granting 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.

With the above observations and directions this writ petition being WPA 20427 of 2022 is disposed of.

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.)