

12.12.2023
rc/ct.no.10
Item No.524

WPA No. 21934 of 2023
Sukur Sekh
Versus
The State of West Bengal & Ors.

Mr. Pankaj Halder ...for the petitioners

Mr. Moniruzzaman ...for the State

Mr. Sanjoy Saha
Mr. Subhasish Bhattacharjee...for the WBMDTC Ltd.

Report submitted on behalf of the respondents is taken on record.

On the prayer of the petitioner liberty is granted to implead the West Bengal Mineral Development and Trading Corporation Ltd. as respondent no. 9 in the writ petition. The cause title of the writ petition be amended accordingly. Copy of the writ petition along with all annexures thereto is served upon the learned counsel for the 9th respondent in Court this day.

The petitioner seeks grant of short term mining licence and seeks further liberty to file a fresh application in this regard before the 9th respondent.

Learned counsel for the petitioner submits that the petitioner has deposited requisite fees before the authority along with an earlier application for grant of licence on August 23, 2023. The petitioner prays for consideration of the said deposit made by him.

It is submitted on behalf of the respondents that the 9th respondent be directed to consider the application in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit an application for grant of short term mining licence before the 9th respondent within two weeks from date. The 9th respondent is directed to consider and dispose of the application within four weeks from the date of receipt thereof after affording reasonable opportunity of hearing to all the stake holders 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)