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21.12.2023
Ct. No.10
b.das

WPA 25933 of 2023

Mainuddin Ahmed
Vs.
The State of W.B. & Ors.

Mr. Gautam Banerjee
Mr. Subrata Roy
Mr. Azizul Islam ...for the petitioner.

Mr. Chandi Charan De
Ms. Resma Chatterjee ...for the State.

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

None appears for the 8th respondent despite service.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner's father, since deceased, was granted long term mining lease vide deed of lease executed on 30th October, 2021 for a period of 5 years. The petitioner's father expired on 27th January, 2023.

The petitioner submitted a representation before the concerned authority on 30th October, 2023 seeking permission to continue with the business of sand extraction in terms of the deed of lease executed in favour of his father. The representation is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 30th October, 2023 within one month from the date of communication of this order upon affording 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 the writ petition is disposed of.

There shall, however, 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.)