

13.09.2023
Ct. 654
D/L 6
ab

WPA 27347 of 2022

Firoz Alam & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Subhendu Roy Chowdhury,
Ms. Shila Chatterjee,

... for the petitioners

Mr. Chandi Charan De,
Mr. Anirban Sarkar

... for the State

This application under Article 226 of the Constitution of India has been filed by the petitioners for considering the application for issuance of short-term mining licence.

The fact in nutshell is that on 28th September, 2021, the petitioners filed an application before concerned authorities under Form-E for issuance of short-term mining licence for riverbed materials under Rule 44 of the West Bengal Minor Minerals Concessions Rules, 2016. Such application was not disposed of by the concerned authorities. Hence this writ petition for appropriate orders.

Mr. Subhendu Roychowdhury, learned advocate for the petitioners submits for specific direction upon the concerned authority for considering their

application dated 28th September, 2021 submitted for issuance of short-term mining licence.

Mr. Chandi Charan De, learned advocate for the State respondents submits that the respondent no. 6 is the appropriate authority for considering such application and necessary direction be issued for consideration of the same.

Having heard the learned advocates for the respective parties, it is found that on 28th September, 2021, the petitioners made an application in Form-E before the appropriate authority for issuance of short-term mining licence for riverbed materials under Rule 44 of the West Bengal Minor Minerals Concessions Rules, 2016. Such application has not yet been considered by the concerned authority.

Accordingly, respondent no. 6 herein the District Land and Land Reforms Officer & Additional District Magistrate, Purba Bardhaman is directed to consider the application made by the petitioners on 28th September, 2021 for issuance of short-term mining licence for riverbed materials and dispose of the same by passing a reasoned order within a period of one month from the date of communication of this order.

A copy of the reasoned order shall be available to the petitioners within a week from the date of passing such order.

Learned advocate-on-record for the petitioners is directed to communicate this order to respondent no. 6.

With the above observations, the writ petition stands disposed of.

All the connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(**Bivas Pattanayak, J.**)