

January 03, 2023
ARDR
(27)

WPA 28249 of 2022

Monirul Mondal
Vs.
The State of West Bengal & Ors.

Adv. Joy Chakraborty,
Adv. Partha Sarathi Ghosh,
Adv. Sandip Dinda,
Adv. Ipsita Ghosh,

...for the petitioner.

Adv. Chandi Charan De,
Adv. Chandana Ghosh,

...for the State.

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

It is contended on behalf of the petitioner that the petitioner was granted long term mining lease vide deed of lease dated 5th February, 2018. The petitioner was unable to carry on mining operation due to COVID-19 pandemic and nationwide lockdown declared by the Government. The petitioner seeks liberty to submit a comprehensive representation before the concerned authority praying for extension of the period of lease and direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition being WPA 28249 of 2022 is disposed of with liberty to the petitioners to submit a comprehensive representation before the 4th

respondent within ten days from date. The 4th respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof upon affording 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.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)