

27.09.2023
D.L.-6(KB)
Ct. No.-654

W.P.A. 28473 of 2022

**Rupirun Khatun
-Versus-
State of West Bengal & Ors.**

Mr. Subhendu Roy Choudhury
Ms. Shila Chatterjee
... For the petitioner.

Mr. Abhishek Banerjee
... For the State.

This is an application under Article 226 of the Constitution of India filed by the petitioner for grant of short term mining license.

The brief fact of this case is that the petitioner applied for short term mining license under West Bengal Minor Minerals Concession Rule, 2016 in respect of Plot Nos.510P, 511P, 512P, 910P, 911P, 912P and 9131P, Mouza –Dabipur, J.L. No –127, total measuring about 80 acres of land under Dubrazpur Police Station, District-Birbhum on 30th August, 2022. However, such application has not yet been considered and disposed of by the concerned authority.

Hence this writ petition.

Mr. Subhendu Roy Choudhury, learned advocate for the petitioner submits that in spite of persuasion the application of the petitioner for short term mining license for riverbed materials submitted before the respondent no.5 has not yet been disposed of. He

seeks for necessary order directing respondent no.6 to dispose of the application submitted by the petitioner.

Mr. Avishek Banerjee, learned advocate for State Respondents also submits that direction be passed upon respondent no.6 who is the competent authority to consider the application of the petitioner for short term mining license made on 30th August, 2022.

In view of the submissions advanced on behalf of the respective parties, respondent no.6-The District Land and Land Reforms Officer & Additional District Magistrate, Suri, Birbhum is directed to dispose of the application of the petitioner made under FORM-E under Rule 44 of West Bengal Minor Minerals Concession Rules, 2016 on 30th August, 2022 within a period of six weeks from date after giving opportunity of hearing to the petitioner and the respondents.

The respondent no.6 shall communicate the order of disposal to the petitioner within a week thereof.

With the aforesaid observation, the writ petition stands disposed of.

All parties to act in terms of the copy of the order downloaded from the official website of this Court

Urgent photostat certified copy of this order, if applied for, be handed over to the parties on compliance of necessary formalities.

(Bivas Pattanayak, J.)