

07-08-2023
Court No.2
Sh/108.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 1193 of 2023

**Sri Uttam Paul.
-Vs-
The State of W.B. & Ors.**

Mr. Dipankar Saha,
Mr. Subham Chanda.

..For the Petitioner.

Mr. Bikramaditya Ghosh,
Mr. Pretom Das.

.. For the State.

Affidavit of service filed in Court today be taken on record.

Heard learned counsels for the parties.

The matter was taken up for consideration on 4th August, 2023 and on prayer of learned counsel for the State respondents, liberty was granted to ascertain who should be the authority to consider the representation submitted by the petitioner.

Being the highest bidder in e-auction floated by the authority and upon deposit of 1/3rd of the bid amount, the petitioner was granted long term mining lease for a period of five years and letter of intent was issued in his favour. The petitioner obtained Environment Clearance Certificate from the District Level Environment Impact Assessment Authority, Jalpaiguri on 3rd March, 2017 along with mining plan. The petitioner is ready and willing to deposit the remaining bid amount and approached the concerned authority for execution of deed of lease in his favour.

Several representations submitted by the petitioner in this regard fell on deaf ears. The petitioner seeks a direction upon the concerned authority to consider his representation dated 2nd August, 2022 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 is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 2nd August, 2022 within a period of one month from the date of communication of this order 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.

With the above observation and direction the writ petition being WPA 1193 of 2023 is disposed of.

There shall be no order as to costs.

Since no affidavit has been called for, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties expeditiously on compliance of all requisite formalities.

(Suvra Ghosh, J.)