

10.04.2024
rc/ct.no.10
Item No.768

WPA No. 2146 of 2024
Powerplus Traders Private Limited
Versus
State of West Bengal & Ors.

Mr. Jishnu Chowdhury
Mr. Debrup Bhattacharjee ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyobrata Batabyal ...for the State

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

Being the highest bidder in an e-auction floated by the authority under the Coal Mines (Special Provision) Act, 2015 read with Coal Mines (Special Provisions) Rules, 2014 mining lease was executed in favour of the petitioner on May 11, 2023 in respect of 856.68 hectares of land in several plots under PS- Durgapur-Faridpur, Kanksa, District – Paschim Burdwan. The petitioner's rival company, S.S.Natural Resources Pvt. Ltd. purchased 56 decimals of land which is part and parcel of the leasehold land allotted to the petitioner for which the petitioner is unable to commence mining operation in the plots allotted to it. The petitioner submitted a representation in this regard before the concerned authority on December 21, 2023 seeking initiation of the process of assessment of compensation and transfer of the portion of the land held by the S.S.Natural Resources Pvt. Ltd. which is yet to be

considered. The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner on December 21, 2024 and upon taking into consideration the terms and conditions laid down in the lease deed executed in favour of the petitioner within a period of four weeks from the date of communication of this order, upon affording reasonable opportunity of hearing to all concerned 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 this 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)