

26.02.2024

Ct. no.654

Sl. No.168

SS

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 3320 of 2023
(specially assigned)
Parwez Alam Siddiqui & anr.
Vs.
State of West Bengal & Ors.**

Mr. Siddhartha Shankar Mondal
Mr. Tirtha Pati Achariya
Mr. Soumendu Roy
..for the petitioners
Mr. Sanjay Saha
Mr. Subhasish Chatterjee
..for the WBMDTCL
Mr. Chandi Charan De, Ld. AGP
Mr. Anirban Sarkar
... for the State

The writ petitioner presses his prayer (c) made in the writ petition for consideration of his representation.

A lease for mining was granted in favour of respondent nos.6 and 7. The petitioners by dint of a contractual agreement entered with the lessee namely, respondent nos.6 and 7 deposited a sum of Rs.10,00,000/- on behalf of the lessee before the D.L. & L.R.O., Birbhum. It was also agreed by and between the petitioners and the respondent nos.6 and 7 that the petitioners will be allowed to lift/extract sand as a sub-lessee from the concerned sand block. Despite such agreement the petitioners neither been allowed by the respondent nos.6 and 7 to lift sand nor the amount of money deposited by the petitioners on behalf of the respondent nos.6 and 7 has been refunded. The petitioners made representation before the concerned authority for redressal of their grievance. However, such

representation has not yet been disposed of. Hence, this writ petition.

Mr. Siddhartha Shankar Mondal, learned Advocate for the petitioners seeks appropriate direction upon the respondent no.4, the Members Secretary of the District Committee for Competitive Bidding for Minor Minerals and Additional District Magistrate and District Land and Land Reforms Officer, Birbhum, to consider the representation of the petitioners made on 8th December, 2022.

Mr. Sanjay Saha, learned Advocate for the respondent no.2 as also Mr. Chandi Charan De, learned Additional Government Pleader submits that direction be passed upon the respondent no.4 the Members Secretary of the District Committee for Competitive Bidding for Minor Minerals and Additional District Magistrate and District Land and Land Reforms Officer, Birbhum for considering the representation of the petitioners.

Upon hearing the learned advocates for respective parties and considering the materials on record, the Members Secretary of the District Committee for Competitive Bidding for Minor Minerals and Additional District Magistrate and District Land and Land Reforms Officer, Birbhum, being the respondent no.4, is directed to consider and dispose of the representation of the petitioners dated 8th December, 2022 by passing a reasoned order within a period of six weeks from the date of communication of this order after giving opportunity of

hearing to all the concerned parties including the petitioners, in accordance with law.

The result of such disposal be intimated to the petitioners within a week thereof.

The learned advocate-on-record for the petitioners is directed to serve a copy of this order alongwith copy of representation dated 8th December, 2022 upon the respondent no.4, the Members Secretary of the District Committee for Competitive Bidding for Minor Minerals and Additional District Magistrate and District Land and Land Reforms Officer, Birbhum.

Since no affidavit has been invited, allegation contained in the writ petition shall be deemed not to have been admitted.

It is made clear that this Court has not gone into the merits of the case.

With the above directions, this writ petition being **WPA 3320 of 2023** stands disposed of along with all connected applications, if any.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

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

(Bivas Pattanayak, J.)