

21.05.2024
rc/ct.no.10
Item No.983

WPA No. 7504 of 2024
JHM Import Export (P) Ltd.
Versus
State of West Bengal & Ors.

Mr. R. Islam
Ms. Manika Sarkar ...for the petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkarfor the State

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

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner was granted long term mining lease by the respondents vide deed of lease executed on June 04, 2019 upon depositing the entire bid amount and complying with all requisite formalities. The petitioner received show cause notice from the authority issued on December 14, 2020 alleging illegal activities undergone by the petitioner in contravention of the existing rules, guidelines, etc. in the plot in question. The petitioner submitted several representations before the authority denying such allegations and seeking permission to resume the mining operation, which were not considered. The petitioner seeks to submit a comprehensive representation before the authority and prays for a direction upon the authority to consider the said representation at the earliest.

Learned counsel for the respondents submits that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 3rd respondent within 7 days from date. The 3rd respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof after affording reasonable opportunity of hearing to all the stakeholders 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)