

20.06.2024
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WPA 11803 of 2024

A.R. Enterprise
Vs.
State of West Bengal & Ors.

Mr. Mir Anowar
.... for the petitioner

Mr. Soumitra Bandyopadhyay
Ms. Suchana Banerjee
.... for the State

Mr. Sanjay Saha
Mr. Subhasish Bhattacharya
.... for the respondent no. 5

1. Let affidavit of service filed in Court be kept on record.

2. Heard the learned Counsel for the parties.

3. Learned Counsel for the petitioner relies on an order passed by a co-ordinate Bench of this Court in WPA 16328 of 2022 dated 18.04.2024. He also states that petitioner shall be satisfied if similar order is passed in the present writ petition by directing the respondent to consider his representation dated 05.08.2022. It is the case of the petitioner that he was the highest bidder in the e-auction floated by the authority on 12.05.2017 and was granted long term mining lease for a period of five years by a lease deed

registered on 15.05.2019. The lease expired on 14.05.2024. The petitioner was unable to carry on mining operation due to Covid-19 Pandemic and has sought extension of the period of lease. The petitioner submitted a representation in this regard before the concerned authority on 05.08.2022 which is yet to be considered.

4.Learned Counsel for the petitioner prays for a direction upon the authority to consider the representation at the earliest.

5.Learned Counsel for the respondent no. 3 states that he has no objection in considering the representation of the petitioner in accordance with law.

6.In view of the above and in terms of the direction passed by a co-ordinate Bench in a similar WPA 16328 of 2022 dated 18.04.2024, this Court directs the respondent no. 3 to consider and dispose of the representation submitted by the petitioner dated 05.08.2024 by way of a speaking order after affording an opportunity of personal hearing to all the stake holders within a period of eight weeks from the date of communication of this order.

7.Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

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

(Gaurang Kanth, J.)