

110
jdt.

01.04.2024
jb.

W.P.A. 19044 of 2022
(R.S. Construction & Ors. vs. State of West Bengal & Ors.)

Mr. Gautam Banerjee
.... For the Petitioners

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

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. De, learned advocate and Mr. Anirban Sarkar, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. De in course of the day.

It is submitted on behalf of the petitioners that the petitioners were granted long term mining lease for a period of 5 years upon issuance of letter of intent on November 12, 2018. Upon joint enquiry conducted by

the Block Land and Land Reforms Officer, Raina-II, Madhabdihi, Purba Bardhaman along with the concerned Revenue Inspector and representative of the Executive Engineer of Champadanga, Hooghly Irrigation Sub-Division on 5th April, 2022 it was found that there was no mineable reserve in the plot allotted to the petitioners. The petitioners submitted a representation on 27th June, 2022 before the concerned authority for allotment of alternative plot/ sand block in favour of the petitioners which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits 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 petitioners dated 27th June, 2022 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all stake holders including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

There shall be no order as to costs.

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

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)