

Court No. 2
08.8.2024
(Item No. 26)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 26330 of 2023

Dilip Lohar & Anr.
VS
The State of West Bengal & Ors.

Mr. Sreekumar Chakraborty
.... For the petitioners

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

None appears for the respondents, despite notice.

Referring to a representation dated **November 29, 2022, annexure P-4** at **page 35** to the writ petition the petitioners submit that, though petitioners applied for Mining Lease for excavation of sand, the same has not been considered.

The respondent No. 3 shall consider the said representation dated **November 29, 2022** as referred to above in the light of the prevailing State policy and strictly in accordance with law by passing its reasoned decision.

The reasoned decision shall be communicated to the petitioners.

The entire exercise as directed above, shall be carried out and completed by the respondent No. 3 positively within a period of **eight weeks** from the date of communication of this order.

It is made clear that, this order shall not created any right or equity in favour of the petitioners, in the event, petitioners are found ineligible to succeed to their representation strictly in accordance with law and in view of the prevailing policy decision of the State.

Since affidavits are not called for, the allegations made in this writ petition deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition **W.P.A. 26330 of 2023** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)