

April 4, 2024
(715) ARDR

WPA 28680 of 2023

Asim Biswas
Vs.
The State of West Bengal & ors.

Adv. Abhinaba Dan,
Adv. Ankita Mukherjee,
...for the petitioner.
Adv. Somnath Ganguli,
Adv. Priyamvada Singh,
...for the State.

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

Being the highest bidder in the e-auction floated by the respondents and upon depositing the requisite fees, the petitioner was granted long term mining lease for a period of five years vide deed of lease executed on 8th May, 2018. The petitioner was unable to excavate sand for a considerable period of time due to covid-19 pandemic and requested the authority for extension of the period of lease.

Learned counsel for the petitioner submits that a huge amount of money has been spent on the said operation and the petitioner has suffered huge financial loss since he was unable to continue with mining operation. The petitioner submitted several representations before the concerned authority (annexure P/3 to the writ petition) which are yet to be considered. The petitioner prays for a direction upon the authority to consider the representations at the earliest.

Learned counsel for the respondents submits that the 4th respondent be directed to consider the representations 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 representations (annexure P/3 to the writ petition) within eight weeks from the date of communication of this order upon 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 aforesaid directions, the 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 have been admitted.

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

(Suvra Ghosh, J.)