

S/L 45
16.04.2025
Court. No. 19
Suwayan

**WPA 2529 of 2024
With
CAN 1 of 2025**

**Sri Rabindra Ghosh
Vs.
State of West Bengal & Ors.**

*Mr. Rahul Karmakar
Mr. Kalyan Sengupta*

...for the petitioner.

1. The affidavit-of-service as filed today is taken on record.
2. None appears on behalf of the respondents/State despite service.
3. By filing the instant writ petition the writ petitioner has prayed for issuance of a writ of mandamus commanding the respondents more specifically the respondent no. 6 to grant short term mining license in favour of the writ petitioner upon consideration of his application dated 10.05.2023 a copy of which has been annexed at page nos. 31 and 32 of the instant writ petition.
4. By filing CAN 1 of 2025 the writ petitioner has also requested this Court to pass an appropriate order directing the respondents/authorities to take appropriate steps so that no illegal mining takes place at the sand block at Plot No. 61(P) and 61/547 or 61/547(P) in Mouza-Mirzapur on the river bed of Subarnarekha River.
5. In course of hearing learned Advocate for the writ petitioner while drawing attention to the copy of the

application dated 10.05.2023 as submitted by the writ petitioner with the respondent No. 6/authority submits before this Court that despite receipt of such application in Form – E under Rule 44 of the West Bengal Minor Minerals Concession Rules, 2016 the respondent No. 6 sat tight over the matter and has not done anything as yet.

6. In view of such, while disposing the instant writ petition this Court directs the respondent No. 6 to consider the application dated 10.05.2023 as submitted by the writ petitioner in accordance with law and after giving an opportunity of hearing to the writ petitioner and/or his authorized representatives shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner preferably by mail, if the mail details of the writ petitioner is furnished to him at the time of hearing.
7. It is further directed that the entire process as indicated in the foregoing paragraph is to be completed within 60 working days from the date of communication of server copy of this order.
8. It is further directed that the respondent No. 6 as well as the respondent No. 5 shall ensure that no illegal mining and/or extraction of sand takes place from the river bed of Subarnarekha River in respect of sand block in the aforementioned two plots till passing and communication of the reasoned order to the writ petitioner.

9. Liberty is given to the learned Advocate-on-Record for the writ petitioner to communicate the server copy of this order to the respondent No. 6 for his immediate compliance.
10. Respondent No. 6 is hereby directed to act on the server copy of this order.
11. With the aforementioned observation, the instant writ petition being WPA 2529 of 2024 along with interim application being CAN 1 of 2025 is disposed of.
12. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)