

27.02.2025
Item No.22
gd/ssd

WPA(P)/45/2025
JIBAN MANDAL AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Md. Masud Karim,
Ms. Anushika Bharati,
Mr. Rashed Rashid
..for the Petitioners.

Mr. Soumitra Bandyopadhyay,
Mr. Priyabrata Batabyal
..for the State.

Mr. Sanjay Saha,
Mr. Raju Mondal
..for the Respondent Nos.13 and 14.

Mr. Debasish Das
..for the Respondent No.15.

1. By this public interest writ petition the petitioners allege that the 16th respondent without obtaining any permission is illegally mining sand and dumping sand in the agricultural lands which are adjoining the sand block.

2. This allegation has been shown to be the wrong since the sand block was put up for auction by the West Bengal Mineral Development and Trading Corporation Limited and in the auction the 16th respondent was the successful bidder in respect of JL No.39 and the areas have been demarcated by the Block Land and Land Reforms Officer and mining operations are going on.

3. Therefore, the premise on which the writ petition was filed is factually incorrect.

4. Furthermore, it is submitted by the learned advocate for the 16th respondent that the petitioner nos.2 and 5 are accused in a criminal case lodged by the 16th respondent on account of certain threats and disturbance caused to them and they have been enlarged on bail.

5. If, according to the villagers, the sand mining is going on outside the demarcated area, it will be well open to them to approach the authorities by way of a fresh representation.

6. Accordingly, the matter stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)