

Item No.22
17.04.2025
Court. No. 19
GB

W.P.A. 8179 of 2025

Ranjan Mondal
Vs.
The State of West Bengal & Ors.

*Mr. Dinabandhu Chowdhury,
Mr. Amal Kumar Saha,
Ms. Iresh Paul,
Mr. Shibam Debnath*

...for the Petitioner.

*Mr. Chandi Charan De,
Ms. Reshma Chatterjee*

...for the State.

1. Affidavit-of-service as filed today is taken on record.
2. In course of hearing learned advocate for the writ petitioner submits before this Court that pursuant to an e-auction the writ petitioner came out as a successful bidder and a mining lease was executed in favour of the writ petitioner in respect of the relevant plot on the riverbed of river Darakeswar.
3. Drawing attention to page no.62 of the instant writ petition, being a copy of the field verification report it is submitted by Mr. Chowdhury, learned advocate for the writ petitioner that pursuant to the said field verification report it reveals that the layer of sand in the said riverbed was not so thick and, therefore, was unfit for commercial exploitation of the resources. It is further submitted that soon thereafter by issuing a memo dated October 25, 2019 (page 58 of the instant writ petition) the respondent no.4 authority issued a letter of request to the respondent no.2 authority for according approval for refund of revenue deposit as

made by the writ petitioner. It is submitted on behalf of the writ petitioner that as on this day no refund has been made.

4. It is further submitted that subsequent thereto, it has been noticed by the writ petitioner that in the riverbed of river Darakeswar a good quantity of sand has been accumulated in the meantime and, thus, the writ petitioner approached the respondent no.3 to allow him to commence mining operation pursuant to the lease dated April 26, 2017 by issuing a letter dated March 19, 2025. It is submitted on behalf of the writ petitioner that despite receipt of such letter, the respondent no.3 had taken no action which led the writ petitioner to file the instant writ petition.
5. In course of his submission Mr. De, learned Additional Government Pleader appearing on behalf of the respondent State in his usual fairness submits before this Court that the respondent no.3 may be directed to consider the letter dated March 19, 2025 as a representation of the writ petitioner in accordance with law.
6. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no.3 to consider the letter dated March 19, 2025 in accordance with law after giving an opportunity of hearing either to the writ petitioner or

his authorized representative and thereafter shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner, preferably by mail, if the email details of the writ petitioner is supplied to him at the time of hearing.

7. Liberty is given to the learned advocate on record for the writ petitioner to forward a server copy of this order to the respondent no.3. The respondent no.3 is directed to act on the server copy of this order.
8. With the aforementioned observations the instant writ petition is disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)