

N.22Sl
151/CL

WPA 10060 of 2025

Sarkar Construction

-vs-

The State of West Bengal & Ors.

15.09.2025
SL-21
Ct.19
(S.R.)

Mr. Mir Anowar ... for the petitioner.

Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Mr. Ram Chandra Guchhait
Mr. Priyabrata Batabyal ... for the State.

Mr. Sanjay Saha
Mr. Raj Kumar Mondal ... for the respondent no.6.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. The instant writ petition has been filed on account of non-consideration of the representation dated 09.03.2025, as submitted by the writ petitioner with the respondent no.3/authority, which was received by the said authority's office on 10.03.2025.
3. At the time of hearing, Mr. Anowar, learned advocate appearing on behalf of the writ petitioner submits before this Court that the writ petitioner was a lessee in respect of a sand block, particulars of which has been mentioned in paragraph 9 of the instant writ petition. Drawing attention to page no.78 of the instant writ petition, being a copy of the memo dated 26.04.2024, it is submitted that during the period of monsoon, the respondent no.4/authority permitted the writ petitioner to stock sand/riverbed materials

with effect from 26.04.2024 to 31.12.2024 so as to enable him to dispose of the said stock within the validity period.

4. It is further submitted on behalf of the writ petitioner that from page nos.82 to 89 of the instant writ petition, it would reveal that time to time, the writ petitioner has made payment to the respondent authorities towards royalty, cess and other charges by way of e-challans. It is submitted that from the representation dated 09.03.2025, it would reveal that the writ petitioner urged before the respondent nos.3 and 4/authorities to allow him to sell out the remaining portion of the sand, as stocked by him to the tune 12,64,000 cft. of sand in upcoming monsoon on account of some unforeseen circumstances, as faced by the writ petitioner, for which, the said remaining portion of the sand could not be sold during the period of validity i.e. on and from 26.04.2024 to 31.12.2024. It is the grievance of the writ petitioner that despite submission of the said representation dated 09.03.2025, the aforementioned two respondent authorities have not done anything.
5. Mr. Bandyopadhyay, learned advocate appearing on behalf of the respondent/State in his usual fairness submits before this Court that the respondent no.4/authority may be directed to consider the representation of the writ petitioner, as submitted by

him on 09.03.2025, in accordance with law.

6. In view of such, this Court while disposing the instant writ petition directs the respondent no.4/authority to consider the representation dated 09.03.2025, 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 email, if the email details of the writ petitioner is provided to him at the time of hearing.
7. It is further directed that while passing the reasoned order, the respondent no.4/authority shall keep in mind that true spirit of the memo dated 26.04.2024, as issued by him, as well as the payments as made by the writ petitioner from time to time, copies of which have been annexed with the instant writ petition at page nos. 82 to 89.
8. The entire exercise, as indicated in the foregoing paragraphs, is to be completed by the respondent no. 4/authority within 30 working days from the date of communication of the server copy of this order.
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.4/authority.
10. The respondent no. 4/authority is hereby directed to act on the basis of the server copy of this order.

11. The time limits as fixed by this Court are mandatory and peremptory.
12. With the aforementioned observations, the instant writ petition being **WPA 10060 of 2025** is disposed of.
13. There shall, however, no order as to costs.
14. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)