

17.06.2025
Court No.13
Item No.23
AP

MAT 834 of 2025
With
CAN 1 of 2025

Sk. Masud Hussain
Vs.
The State of West Bengal and Ors.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Mr. Mainak Singha Barma
Ms. Satabdi Das

... for the Appellant.

Mr. K.M. Hossain
Mr. Sutanu Chakrabarti

...for the State.

Ms. Sayani Roy Chowdhury
Ms. B. Mondal

...for the Respondent No.7.

1. Affidavit of service filed in Court today is taken on record.

2. The appeal is directed against an order dated 6th May, 2025 passed by a Single Bench of this Court at the time of admission of the writ petition being WPA 9228 of 2025.

3. The grievance of the writ petitioner was that the private respondent was selling sand under a license for dredging issued by the A.D.M. and D.L. & L.R.O. of the area concerned.

4. This Court is of the view that the writ petition itself can be disposed of by directing the District Magistrate, Purba Medinipur to cause an enquiry into the conduct of

the respondent No.10 herein, M/s. Max Marine Techno Services LLP, and pass an appropriate order after giving an opportunity of hearing to the writ petitioner as well as the said respondent. For the aforesaid purpose, the District Magistrate shall be entitled to conduct an independent enquiry, report whereof may be supplied to the parties.

5. It is submitted by the respondent No.7, Inland Waterways Authority of India, that dredging licence has expired but the selling of sand is continuing.

6. The order that may be passed by the concerned District Magistrate shall not be affected by the expiry of the licence. If the District Magistrate finds that any amount of sand has been sold in course of the subsistence of the licence in question or even thereafter, he may take appropriate measures in accordance with law. The proceedings before the District Magistrate shall be completed within a period of three months from the date of communication of a copy of this order.

7. With the aforesaid direction, WPA 9228 of 2025 is disposed of.

8. Accordingly, MAT 834 of 2025 is also disposed of. Consequently, all connected pending applications, if any, are also disposed of.

9. There shall be no order as to costs.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)