

July 28, 2025
Sl. No.55
Court No.8
s.biswas

WPA(P) 243 of 2025

Suresh Kumar Bhawnani

vs.

The State of West Bengal and others

Mr. Robiul Islam

Mr. Masooq Rahman

... for the petitioner

Mr. Sk. Md. Galib, Sr. Govt. Adv.

Mr. Abu Siddique Malik

... for the State

1. Affidavit of service filed by the petitioner is taken on record.
2. Heard Mr. Robiul Islam, learned advocate and Mr. Md. Galib, learned advocate for the respondent State, on admission.
3. The grievance raised in this PIL is in relation to alleged illegal and unauthorized black stone crushing, storing and transporting in Murari-I block in Birbhum district.
4. The learned counsel for the petitioner pointed out the communication dated 06.05.2025, Annexure P/1 and order dated 20.05.2025 to bolster his submission that the learned Sub-Divisional Officer, Rampurhat, Birbhum in the communication being Memo No.367(2)/JM dated 20.05.2025, even identified two persons who were involved in illegal mining, excavation, transportation, storing and crushing of black stone and ordered that they should not undertake the aforesaid exercise. Learned counsel for the petitioner submits that after passing this order

dated 20.05.2025, the Sub-Divisional Officer, Rampurhat, Birbhum has not taken any effective steps to implement this order at the ground.

5. On the specific query from the Bench, learned counsel for the petitioner fairly submits that there are many other similarly situate persons who are involved in the aforesaid exercise of illegal mining, excavation, transportation, storing of black stone in the area in the area in question. However, the petitioner has not preferred any representation pointing out such illegality before the Sub-Divisional Officer.
6. In this backdrop, we deem it proper to dispose of this PIL at admission stage with the following directions, for which the learned Government Counsel has no objection:
 - i) The petitioner shall file detailed representation along with relevant documents before the Sub-Divisional Officer, Rampurhat, Birbhum within 15 days from today, along with a copy of this order.
 - ii) The Sub-Divisional Officer shall look into the representation and consider the same, in accordance with law and pass a speaking order within 30 days therefrom.

- iii) It will be open for the Sub-Divisional Officer to hear the interested parties in the decision making process.
 - iv) If the Sub-Divisional Officer comes to the conclusion that any illegal activity of excavation, transportation, storing and crushing of black stone is being taken place by anybody, he shall ensure that such activity is forthwith stopped.
7. With the aforesaid and without expressing any opinion on the merits of the case, this PIL is disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Sujoy Paul, J.)

(Smita Das De, J.)