

M/L 127
31.07.2025
Court. No. 19
Suwayan

WPA 25356 of 2024

**K & K Mineral Pvt. Ltd. & Anr.
Vs.
The State of West Bengal & Ors.**

*Mr. Piush Chaturvedi, Sr. Adv.
Mr. Anujit Mookherji
Mr. Mir Anowar*

...for the petitioners.

*Mr. Soumitra Bandyopadhyay
Ms. Suchana Banerjee
Mr. Priyabrata Batabyal*

...for the State.

*Mr. Sanjay Saha
Mr. Raju Mondal*

...for the respondent no. 3.

1. The writ petitioners, the respondents/State and its instrumentalities and the respondent no. 3 are represented by their respective Counsels.
2. At the time of hearing, Mr. Chaturvedi, learned Senior Advocate appearing on behalf of the writ petitioners at the very outset draws attention of this Court to page nos. 181 and 182 of the instant writ petition being a copy of the representation dated 13.09.2024 as made by the writ petitioners with the respondents/authorities. It is submitted that under cover of the said representation dated 13.09.2024 the writ petitioners have made a prayer for shifting of sand block in connection with Bidder ID no. 2290404 and Auction ID no. 2022_WB_2423 ID: APD_CAT_B_01 in Mouza – Chengmari, Block – Kumargram, District – Alipurduar.

3. It is submitted by Mr. Chaturvedi that despite submission of such representation the respondents/authorities more specifically; the respondent no. 3/authority did nothing and practically sat tight over the matter.
4. Per contra, Mr. Saha, learned Advocate appearing on behalf of the respondent no. 3 on instruction submits before this Court that in the meantime a predicament arose on the part of the respondent no. 3 to execute the deed of lease in favour of the writ petitioners in respect of the aforementioned auction ID since the respondent no. 3 has come to learn that a portion of the selected sand block in respect of which the aforementioned auction was held and wherein the writ petitioners were found to be successful bidder would come within eco-sensitive zone and for that reason the respondent no. 3 cannot execute a deed of lease in favour of the writ petitioners for the purpose of excavation of sand.
5. It is further submitted by Mr. Saha upon instruction that the respondent no. 3 is otherwise willing to offer an alternative block to the writ petitioners for the self-same purpose.
6. Such being the position, this Court while disposing the instant writ petition directs the respondent no. 3/authority to consider the representation dated 13.09.2024 in accordance with law and after giving due opportunity of hearing to the authorized representative of the writ petitioners shall pass a reasoned order and shall forthwith communicate the same to the writ

petitioners preferably by mail, if the mail details of the writ petitioners are furnished to him at the time of hearing.

7. The entire exercise as indicated in the foregoing paragraph is to be completed within 30 working days from the date of communication of the server copy of this order.
8. Liberty is given to the learned Advocate-on-Record for the writ petitioners to communicate the server copy of this order to the respondent no. 3 forthwith.
9. The respondent no. 3 is directed to act on the basis of the server copy of this order.
10. With the aforementioned observation, the instant writ petition being WPA 25356 of 2024 is disposed of.
11. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)