

03.12.2025
rc/ct.no.05
Item No.11

WPA No. 27153 of 2025
Somnath Baral
Versus
The State of West Bengal & Ors.

Mr.Sourav Chatterjee
Mr. Sayan Chattopadhyay
Mr. Suprava Jana
Mr. Ayanava Acharya ..for the Petitioner

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedifor the State

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

Learned counsel for the petitioner submits that the petitioner was granted mining lease on February 20, 2025 subject to certain conditions, one of the conditions being that he would commence operation within three months from the date of execution of the deed. Part IX Clause 3 of the deed spells out that in case the petitioner/lessee commits breach of any of the conditions of the lease, the State Government shall give notice in writing to him and ask him to remedy the breach within thirty days from the date of notice and if the breach is not remedied within that period, the lease shall be determined. Learned counsel submits that the petitioner went to the field to commence operation immediately upon execution of the lease but was prevented from doing so by local villagers. Several

complaints filed by the petitioner before the police authority seeking assistance to commence mining operation fell on deaf ears.

Learned counsel for the State submits that the police shall render necessary assistance to the petitioner upon the petitioner bearing the police cost.

In view of the above, the writ petition is disposed of directing the police authority to render necessary assistance to the petitioner in order to enable the petitioner to commence mining operation in terms of the deed of lease dated February 20, 2025 subject to the petitioner depositing the costs for the same to be assessed by the police authority at the earliest. Such cost be assessed by the police within a week from date and deposited by the petitioner at the earliest.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)