

Item-10.	23-02-2026	WPA 1290 of 2026
sg	Ct. 19	Shyama Pada Nayek Versus The State of West Bengal & Ors.

Mr. Anirban Saha Roy Ms. Srijani Das	...for the petitioner
Mr. Jaharlal De, Id. AGP Mr. Sudipta Panda	...for the State

Affidavit of service filed in Court is taken on record.

The petitioner was granted a long-term mining lease for sand for a period of five years which stood expired on May 31, 2015. The petitioner claims to have applied for renewal of the said mining lease for another five years on November 11, 2014 and also deposited the application fees as per the provisions of law.

Alleging inaction on the part of the authorities in not considering the prayer for renewal of the mining lease, petitioner approached this Court by filing a writ petition being WP 29389(W) of 2015, which was disposed of by an order dated December 14, 2015 by directing the District Land Reforms Officer to communicate a decision on the petitioner's application for renewal within the time limit stipulated therein. Alleging non-consideration of the representation in terms of the order passed in WPA 29389(W) of 2015, the petitioner filed another writ petition being WPA 3438 of 2022 which was disposed of by a coordinate Bench on August 30, 2023 by directing the third respondent therein to consider and dispose of the representation submitted by the

petitioner dated January 27, 2016 within the time limit mentioned therein after affording a reasonable opportunity of hearing to the stakeholder including the petitioner in the light of the observations made in the order dated December, 14, 2015 in WP 29389(W) of 2015.

The petitioner states that pursuant to the order dated 30th August, 2023, the petitioner was served with a copy of the order dated 12th March, 2024 whereby the petitioner was informed that pursuant to the order passed in WP 29389(W) of 2015, hearing was conducted by the petitioner on 21st October, 2016 and after such hearing, a reasoned order was passed by the then District Magistrate, Bankura by rejecting the renewal application and such order was also communicated to the petitioner vide Memo Dated 2nd December, 2016.

Mr. Saha Roy, learned Advocate appearing for the petitioner submits that the copy of the order dated 21.10.2016 was never served upon the petitioner and, therefore, the petitioner is not aware of the reason for rejecting the prayer for renewal of the mining lease.

Mr. De, learned Additional Government Pleader files a report of the Additional District Magistrate and District Land & Land Reforms Officer, Bankura dated 20th February, 2026, which is taken on record.

From the attendance sheet for hearing dated 21st October, 2016, which is annexed to the said report, it appears that the petitioner attended the hearing on October 21, 2016. A copy of the order dated 21st October, 2016 forms part of the

said report. It appears therefrom that the District Magistrate took note of the provisions laid down under Rule 62 of the West Bengal Minor Minerals Concession Rules, 2016 and observed that the West Bengal Minor Minerals Rules, 2002 has been repealed. The District Magistrate also recorded that as per Rule 61 of the West Bengal Minor Minerals Concession Rules, 2016, all applications for mining lease of minor minerals including the reclassified minor minerals received prior to the giving effect to the said Rules irrespective of its duration of pendency shall become ineligible.

It is not in dispute that as on date when the 2016 Rules came into force, the application for renewal was only pending. The said order further states that on the basis of 2016 Rules, the process of e-auction already started in different phase in the district of Bankura and on that ground, the writ petitioner's application for long term mining lease for sand was rejected with liberty to the petitioner to participate in the e-auction process as per the West Bengal Minor Minerals (Auction) Rules 2016.

A copy of the order of the District Magistrate, Bankura dated 21st October, 2016 is supplied to the learned Advocate of the petitioner in course of hearing of this writ petition.

The order dated 21.10.2016 passed by the District Magistrate is not under challenge in this writ petition.

For all the reasons as aforesaid, this Court is not inclined to grant any relief to the petitioner in the case on

hand. This writ petition is accordingly, disposed of.

The petitioner will be at liberty to take appropriate steps to participate in the e-auction process in case the petitioner is otherwise eligible to do so.

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

(Hiranmay Bhattacharyya, J.)