

M/L- 44
12/02/2026
Ct. No.-19
Aritra

WPA 3248 of 2025

**Nasiruddin Molla
Vs.
The State of West Bengal & Ors.**

Mr. Mukteswar Maity
Mr. Pratip Mukherjee
Ms. Manika Sarkar
Mr. Sk. Md. Ismail

....for the petitioner

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

In spite of service none appears for the State.

The petitioner claims that a mining lease for sand was executed in favour of the petitioner on February 10, 2020 for a period of 5 years.

The petitioner states that due to onset of COVID-19 pandemic the petitioner could not carry on extraction activities for a substantial period of time. The petitioner claims to have applied for extension of lease by a letter dated January 30, 2025.

The learned advocate appearing for the petitioner submits that though the prayer for extension of the mining lease was submitted prior to the expiry of the lease period but no decision on such representation has been communicated to the petitioner till date.

The learned advocate appearing for the petitioner places reliance upon a decision of a co-ordinate Bench in the case of **Radharaman Constructions and Marketing Private Limited and Anr. vs. State of West Bengal &**

Ors., reported at **2023 SCC Online Cal 4791** in support of his contention that in the event the mining operation could not be carried out due to the reasons beyond the control of the lessee and for no fault of his, he is entitled to the benefits of extension under Clause 5 of part IX of the deed of lease.

Without entering into the merits of the claim made by the petitioner in the representation dated January 30, 2025, WPA 3248 of 2025 stands disposed of by directing the Additional District Magistrate, Suri, District-Birbhum, being the respondent No.4 to consider the representation of the petitioner dated January 30, 2025 and to dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner or his authorised representative and communicate the reasoned order to the petitioner as expeditiously as possible but positively within a period of 4 weeks from the date of receipt of a server copy of this order together with a copy of the representation dated January 30, 2025.

It will be open to the petitioner to place reliance upon any judgments, notifications, circulars, etc. in support of his claim for extension at the time of hearing.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)