

Item-
8. 23-03-2026

sg Ct. 19

WPA 6151 of 2026

Tuphan Chandra Ganguly
Versus
State of West Bengal & Ors.

Mr. Dinabandhu Chowdhury
Mr. Amal Kumar Saha
Mr. Iresh Paul
Mr. Shivam Debnath
...for the petitioner
Mr. Sirsanya Bandopadhyay
Mr. Tarak Karan
...for the State
Mr. Sanjay Saha
Mr. Raju Mondal
...for the respondent no.6

Affidavit of service filed in Court is taken on record.

The petitioner states that pursuant to an e-auction for grant of mining lease of sand in the sand block located in plot no. 364, in Block Puncha, within Mouza Kalupara, JL no. 143, under Police Station Puncha, in the District of Purulia, the petitioner was declared as a successful bidder. The petitioner claims to have paid the entire bid money and thereafter a letter of intent was executed on 13th September, 2017 and the possession of the sand block in question was also handed over to the petitioner.

Mr. Chowdhury, learned Advocate appearing for the petitioner submits that due to restrictions imposed by the notification issued by the Central Government from time to time, the petitioner could not carry on the work of extraction of sand though the bid money for the entire lease period of five years was deposited by the petitioner. He refers to clause 5 under part IX of the lease deed which deals with “force Majeure” clause and submits that since the petitioner could

not carry out the work of extraction for reasons which were beyond the control of the petitioner, the petitioner is entitled to extension of the lease period for the period during which the petitioner could not function.

The petitioner submitted a representation dated 25th September, 2025 requesting the Additional District Magistrate and District Land & Land Reforms Officer, Purulia, to extend the period during which the mining operation could not be carried out by the petitioner on account of restrictions imposed by several notifications during Covid-19 pandemic.

Mr. Chowdhury, however, submits that in spite of receipt of such representation, no decision has been communicated to the petitioner till date.

The learned Advocate appearing for the State and the Corporation uniformly submit that the lease period expired on 12th September, 2022. It is submitted that the prayer for extension of the lease period was made more than three years after the expiry of the lease period.

In the light of the submissions made by the learned Advocates for the respective parties, WPA 6151 of 2026 stands disposed of by directing the Additional District Magistrate and District Land & Land Reforms Officer, Purulia, being the fourth respondent, to consider the representation of the petitioner dated 25th September, 2025 and to dispose of the said representation by passing a reasoned order after affording an opportunity of hearing to the petitioner or his authorized representative and communicate

the reasoned order to the petitioner immediately thereafter.

The entire process shall be completed by the fourth respondent as expeditiously as possible but positively within a period of 12 weeks from the receipt of a server copy of this order together with a copy of the representation dated 25th September, 2025.

It is, however, made clear that it will be open to the petitioner to place reliance upon any government notification, orders passed by the Court in support of its case before the authorities at the time of hearing.

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

(Hiranmay Bhattacharyya, J.)