

Court No. 19
(265719)

27.04.2026
(AD 4)
(S. Banerjee)

WPA 8498 of 2026

Nunnehar Bibi
Vs.
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Nirmalendu Bera
Mr. Gora Chand Samanta

...for the petitioner

Mr. Chandi Charan De, Ld. AGP
Ms. Chandana Ghosh

...for the State

A long-term mining lease had been granted in favour of one Israil Sk., i.e., the husband of the petitioner. The said Israil Sk. submitted an application for renewal of his sand block. The Additional District Magistrate and District Land and Land Reforms Officer, Purba Bardhaman directed the said Israil Sk. to deposit a sum of Rs. 13,70,231/- as penalty before issuance of a grant order. Israil Sk. filed a writ petition being WP 19242 of 2019 praying for an order allowing him to deposit the amount of penalty.

The said Israil Sk. died in the meantime and the petitioner was substituted in a pending writ petition being WPA 19242 of 2019. Petitioner expressed her readiness and willingness to deposit the amount of

penalty. Coordinate bench passed an order on November 9, 2022 fixing a date for deposit of the penalty and upon such deposit, the authority was directed to issue grant order/ renew the lease deed. The petitioner thereafter deposited the amount of penalty and approached the authorities for execution of the lease deed in compliance of the order dated November 9, 2022 passed by a coordinate Bench in WPA 19242 of 2019.

Mr. Roy, learned advocate appearing for the petitioner submits that in spite of the fact that the said amount was deposited, the concerned authority has not yet issued the grant order and have not renewed the lease deed in favour of the petitioner. Mr. Roy draws the attention of the Court to a memo dated March 23, 2026 whereby the petitioner was directed to furnish the succession certificate. He submits that the authorities could not have directed the petitioner to submit the succession certificate.

In reply, Mr. De, learned AGP produces a copy of the letter signed by one Sk. Golam Gaush on behalf of the writ petitioner wherein he undertook to submit the succession certificate as soon as the same would be issued by the competent court. Mr. De submits that pursuant to the said letter the memo dated

March 23, 2026 was issued. However, he submits that since the petitioner was duly substituted in place and stead of Israil Sk., there may not be any necessity to produce the succession certificate by the petitioner.

Mr. De, however, submits on instruction that some time is required to obtain the necessary approval from the concerned authority. He submits that immediately after the said approval is granted, the lease deed shall be executed. He submits that the approval is expected to be granted within a period of six weeks from date.

Such submission of Mr. De is placed on record.

This writ petition stands disposed of by setting aside the memo dated March 23, 2026 and by directing the Joint Secretary to the Government of West Bengal, Department of Industries, Commerce and Enterprises, Mines Branch, being the respondent no. 4, to take expeditious steps for obtaining the necessary permission and approval in the meantime and ensure that the lease deed is executed in favour of the petitioner as expeditiously as possible but positively on or before June 19, 2026.

In case the petitioner may be required to renew any of the certificates/plans and obtain any other clearances from any appropriate authority, the

petitioner shall be obliged to do so in accordance with law.

(Hiranmay Bhattacharyya, J.)